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University of New Hampshire School of Law

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Summer 2007 • Vol. 11, No. 2

PIERCE LAW

A Magazine for Alumni and Friends of Franklin Pierce Law Center



Public Service in
the Nation's Capital

PIERCE  LAW
FRANKLIN PIERCE LAW CENTER

DEAN'S MESSAGE



Dear Alumni and Friends,

As you will read in this magazine, the recent generosity of our alumni and friends has been tremendous. These latest gifts have resulted in the creation of three new endowed LRAP funds (Loan Repayment Assistance Program) and one new endowed scholarship. This endowment growth helps position Pierce Law to remain competitive and financially stable for today and for the future. A permanent source of income, these funds' earnings provide critically needed scholarship and LRAP awards and will help recruit and retain top students at a time when competition for the most highly qualified students is increasing among law schools.

At commencement, we continued our tradition of honoring innovation and creativity with the presentation of an honorary degree to Manchester, NH, inventor Ralph Baer, the father of alumnus Mark Baer '88. Mr. Baer is acknowledged as the "Father of Video Games." We were delighted to have Congressman Timothy J. Ryan '00 deliver a powerful commencement address. His leadership in Congress exemplifies the wealth of knowledge and experience of our alumni.

More than 100 alumni returned to campus in June to attend the 2nd Annual New Hampshire Practice Series CLE Day. Organized by Kenneth Brown '78, the program offered a full day of CLE programming along with an opportunity to visit with classmates.

In August, students, faculty and staff will return to a campus that has undergone a number of extensive renovations. A new 80-person classroom will have been added and classroom 229 completely renovated, including improved technological capabilities. Classroom 228 will be transformed into a meeting and reading room, providing essential new study space. The first floor of the library will now include a cafe area, a new computer lab and compact shelving that allows for additional collection space. These building enhancements follow the recent renovation of 10 White Street, which now houses many administrative offices. Renovations will continue through the fall to complete the expansion of the library on the third floor.

The increased philanthropy to Pierce Law, alumni leadership and recent campus improvements demonstrate the strength of our institution. I invite you to visit and to view the renovations first-hand. This is an exciting time to be a part of our vital and vibrant community.

A handwritten signature in black ink, reading "John D. Hutson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John D. Hutson
Dean & President

MISSION STATEMENT

Pierce Law strives to provide its students with the best possible legal education. Pierce Law is a community of scholars, oriented towards the practice of law, who teach, learn and empower others to contribute productively to a global legal system. Students from around the world with diverse experiences engage in active, practice-based learning in small, cooperative and interactive learning environments. While traditional areas of law and emerging specialties are taught, the intellectual property law curriculum, one of the broadest in the country, is continually emphasized and improved. Graduates are highly capable, confident professionals who will serve clients, employers and the public with integrity and excellence.

Features

- 2 Intellectual Property Law in the Public Interest**
by Professor Jon Cavicchi JD '84/LLM '99
and Dr. Stanley Kowalski '05
- 7 Public Service in the Nation's Capital**
by Sharon Callahan
- 12 Long Way to Pierce Law**
by Ion C. Abraham '07
- 14 Coping with Freelance Termination Interests**
by Professor Thomas G. Field Jr.
- 16 Alumni Firsts**
Married Judges Set New Benchmark
by Daniel Tepfer, *Connecticut Post*
- 18 Consumer Law Clinic on Front Lines**
by Professor Peter Wright '80
- 20 International Criminal Law and Justice Program**



Page 2



Page 7

Departments

- 21 Newsbriefs**
- 29 Faculty in Action**
- 30 Career Services**
- 31 Development News**
- 32 Alumni Office News**
- 37 Class Actions**



Page 14

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Front cover

*Pierce Law alumni Stephen S. Chan '04, Elizabeth Hochberg '03,
Jennifer Wamsley Grant '03 and George W. Blundall '91*

Back cover

*Megan Yaple '09 with her mother, Melinda, at the 3rd Annual Golf Tournament;
Glen Fries '07 and his mother, Robin; and Daniel Conway '07 at commencement
in May*

Submit alumni news items to alumni@piercelaw.edu

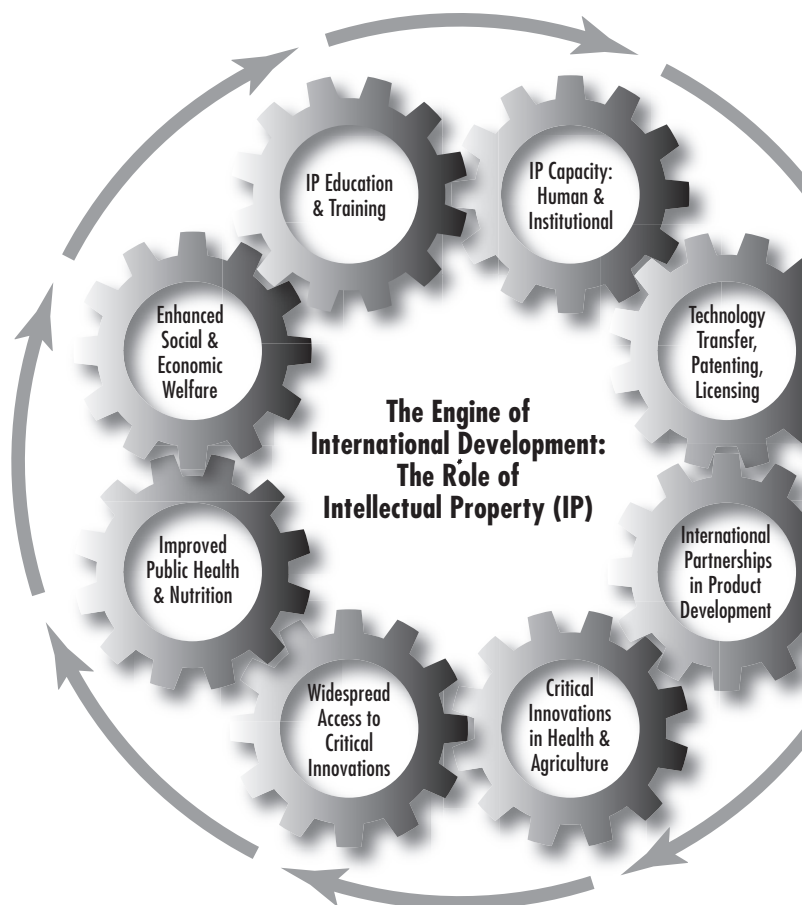
Since its founding, Franklin Pierce Law Center has promoted both practice and policy based intellectual property legal education in the public interest. Professor Ellen Musinsky has long maintained that intellectual property education at Pierce Law works in the global public interest, with broad-ranging humanitarian impact. By providing the knowledge, skills and tools to build a better world, she sees intellectual property capacity as a form of empowerment, advancing the public interest in a wide range of endeavors, including health care, agriculture, environmental protection, technology transfer and software and technology licensing.

Pierce Law has always advocated the value of global intellectual property, whether it is used in the public or private interest. It is the end users, Pierce Law graduates, who decide how to apply their finely honed skills in intellectual property law and management. As Professor Thomas G. Field Jr. astutely observes, “[As] I see it, whether PI is called public interest, social justice or even poverty law, it’s subject matter neutral. Non-profits, for example, have the same trademark and potential copyright issues as anyone. Moreover, they seem to appreciate that when patents are available they foster the aims of the enterprise.” Pierce Law provides a world-class intellectual property education to all of its students, irrespective of their chosen career paths.

Intellectual Property in the Public Interest at Pierce Law: **Past, Present and Future**

BY PROFESSOR JON CAVICCHI JD ’84/LLM ’99

AND VISITING SCHOLAR DR. STANLEY KOWALSKI ’05





Professor Jon Cavicchi JD '84/LLM '99

Dr. Stanley Kowalski '05

The Past

Pierce Law cofounders, Dr. Robert Rines and Robert M. Viles were committed to building a law school that trained lawyers of all types who would use the law to promote law and social justice in the public interest. Rines worked with Viles—a bankruptcy and consumer lawyer who initially did not understand how defending patents related to defending or representing the poor. Rines, however, enlightened Viles, elucidating how many inventors, having nothing but a good patentable idea, could be lifted from squalor and desolation into a brighter future. But for Rines this vision was global; educating professionals from developing nations in intellectual property would create a cascade of positive outcomes, providing intellectual property professionals with an enhanced ability to evaluate options and thereby make informed decisions.

In the 1970s and early 1980s, the intellectual property faculty including Rines, Robert Shaw, Homer Blair and Thomas G. Field Jr. used intellectual property to help many small inventors, first individually, followed by a number of intellectual property clinics that have helped many clients with good ideas.

Intellectual property education in the public interest by Pierce Law has spanned the globe. On the national level, the Academy of Applied Science, a private nonprofit, tax-exempt organization chartered by Rines for the purpose of promoting creativity, invention and scientific achievement, has been recognized as an educational resource center offering enrichment programs for students and professional development for teachers and educational administrators. Field has educated thousands with his highly acclaimed booklets on the fundamentals of intellectual property that now appear in updated versions on the Pierce Law website. Field authored the lead article in a publication, entitled *Focus on Intellectual Property*, released by the U.S. Department of State Bureau of International Information Program in 2006. In addition, Rines regularly and freely invited influential decision-makers from developing nations' governments, industry and nongovernmental institutions to attend classes and programs on the types, structure and role of intellectual property. Both Rines and Blair also assisted developing nations by participating at other institu-

tions, and Blair trained representatives from developing countries at the United Nations.

In 1986, Pierce Law initiated the Master of Intellectual Property program, the first of its kind in the United States to train intellectual property professionals, administrators, lawyers, engineers and entrepreneurs from developing nations who intend to specialize in the study and practice of global intellectual property and licensing. This interdisciplinary program was designed to provide substantive knowledge and practical skills through coursework and externships, building practical intellectual property capacity for use in developing nations. The program has trained patent, trademark and copyright professionals from throughout the world, fostering technology transfer, innovation and increased economic development.

The Present

The tradition of linking intellectual property to public interest continues today in many new and exciting ways. Pierce Law recently participated in activities with Public Interest Intellectual Property Advisors (PIIPA). Michael Gollin, PIIPA founder and chair, has noted that, despite the ongoing policy and academic discussions about the complex global role of intellectual property, little has been done to address the practical needs of developing countries and public interest organizations for access to intellectual property expertise on a case-by-case basis. In developing countries, there is an exponentially growing need for properly trained intellectual property professionals. This is where Pierce Law fills a critical need. As the role of intellectual property in global development increases, so too has Pierce Law's commitment to provide educational opportunities for professionals from around the world, thereby building intellectual property capacity toward a brighter future.

Professor William O. Hennessey '86 Pioneer Scholar, Visionary Leader

Professor William Hennessey '86, a visionary leader in building intellectual property educational programs for professionals from developing countries, has a unique perspective on the interaction between intellectual property and public interest. "My view has been that IP and PI have always been connected.

Tom [Field] and I for many years counseled individual walk-in inventors about their options. Many times, these inventors were driven by the idea that they could improve life for ordinary people. They weren't just in it for the money." Hennessey's vision, however, is much broader, truly global in perspective. "A second theme is the empowerment of local communities ... particularly in developing countries. Innovative people exist in all societies. They need a voice, because the usual situation is that the 'powers that be' favor the status quo. This is particularly true for wealthy elites in static societies who don't want new ideas taking away their meal tickets. So how do you light a fire under policy-makers to encourage them to support innovation and the new kid on the block? Intellectual property protection takes it as a given that creative, inventive, entrepreneurial people have rights to their creations, inventions and entrepreneurial endeavors."

Since arriving at Pierce Law in the 1980s, Hennessey has been involved in every aspect of intellectual property in the public interest. His areas of expertise are remarkably broad and deep, including intellectual property, international law and world trade. Hennessey has a remarkably sophisticated understanding of complex, interdisciplinary fields ... where law, policy, technology and international development intersect. In addition to being a scholar of Chinese language and literature, Hennessey has participated in the clinics that assisted small inventors, was instrumental in the founding of the Master of Intellectual Property program and established the China Intellectual Property Summer Institute (CHIPSI) in Beijing. He has also participated in major initiatives with organizations, such as the World Intellectual Property Organization (WIPO), that foster intellectual property in the public interest for sustainable development, global access to health and medicine, as well as issues relating to traditional/indigenous knowledge. Professor Hennessey's visionary leadership continues to be an inspiration to generations of Pierce Law students.

Intellectual Property Clinics

The Intellectual Property and Transaction Clinic under the direction of Ashlyn Lembree, assistant clinical professor, is a live-client clinic where students conduct interviews, research and draft documents and advise clients in a variety of intellectual property and transactional matters. The Clinic regularly accepts referrals from the New Hampshire Chapter of Lawyers for the Arts. Clients include authors, artists, musicians and publishers, with issues pertaining to copyright and trademark registration and protection, licensing, small business transactions, as well as assistance forming and managing non-profit corporations. It serves a critical public interest role for New Hampshire.

Long intrigued by the possibility of involving more students, Field, encouraged by colleagues and members of our Advisory Committee on Intellectual Property, proposed creation of an Intellectual Property Amicus Clinic. Earlier, in 1997, Field, with the able assistance of Gary Bridge '99, wrote

an amicus brief supporting the U.S. Patent and Trademark Office (USPTO) before the Federal Circuit in the landmark *Zurko* case. Since then he has filed or joined other professors in submitting amicus briefs in several U.S. Courts of Appeal and the U.S. Supreme Court.

The new Pierce Law Intellectual Property Amicus Clinic, under the direction of Field, was created in 2006 to provide students with hands-on training in analytical and persuasive writing as well as immersion in the practical, legal and policy foundations of a the United States intellectual property system. The Clinic also gives Pierce Law a public voice in supporting a strong intellectual property system. Students work with the instructors in preparing friend-of-the-court briefs in matters before the U. S. Supreme Court, various U. S. Courts of Appeals and state supreme courts. Students may also assist in drafting commentary on proposed legislative or administrative action affecting intellectual property law.

Most recently, Richard Castellano '06 and Taylor Evans '07 helped prepare an amicus brief for the *eBay* case. Such activities have also encompassed legislative and administrative proceedings. Alicia Novi '07 and Kate Winstanley '07 recently helped prepare a USPTO rulemaking petition.

Social Justice Institute

Pierce Law's Social Justice Institute (SJI), under the direction of Professor Megan De Vorsey, advances the cause of social justice through legal training and project development. Advocating for social justice and providing access to justice for all, while working in financially and personally rewarding law practices and organizations, are the guiding principles of the SJI. The goals of the Institute are to train lawyers to provide affordable, high-quality legal services accessible to all, to advocate for social justice and to creatively explore and develop successful, innovative practice models for delivery of legal services in our constantly changing society.

De Vorsey views Pierce Law education and support to developing nations as a means of reaching out for the betterment of all, the very essence of what it means to be a lawyer. De Vorsey raises awareness of such opportunities, helping intellectual property students to expand their visions to include public interest endeavors.

Professor Albert "Buzz" Scherr and the American Civil Liberties Union

Intellectual property and civil rights—how many people would make this connection? The American Civil Liberties Union (ACLU) has dealt with a number of intellectual property issues over the years. Recently, Professor Albert "Buzz" Scherr agreed to serve as chair of the Patents and Civil Liberties Committee of the national ACLU when the Supreme Court *LabCorp v. Metabolite* case caught the attention of ACLU staff attorneys.

The Court's deliberations should specifically include First Amendment aspects of the case. *LabCorp's* infringement

conviction was based on its publication of articles telling doctors how to interpret the results (half of Metabolite's patented method) of a blood test LabCorp did for them (the other half of Metabolite's patented method). However, since regulating publishing via the Patent Act triggers the First Amendment, it should be addressed by the Court, as the issues presented are situated in the gray zone between patent rights and First Amendment freedom of speech rights.

Such gray zones of law (at the interface of two legal doctrines), often the most complex and challenging subject areas, are precisely where pioneering Pierce Law professors, such as Scherr, so willingly tread and so thoughtfully make significant legal and scholarly contributions.

Controversial Debate—Open Source and Accessibility of Technology

As access to and reliance on Internet resources increases worldwide, concerns about fair and equal access to these resources are also increasing. Current concerns include building a global public domain of open source materials, copyright law and privacy. The focus of these efforts has naturally followed the growth pattern of the Internet, with the primary historical focus being on the United States, Europe and parts

lawyers who create legal policies for a European Union-based project that aims to build a free software Internet portal providing educational and learning materials.

Wong also works with an informal group that was created at the inaugural Internet Governance Forum in 2006. A “dynamic coalition” working toward free expression and greater access to knowledge on the Internet, its members include academics, representatives from leading corporations, such as Google and Sun Microsystems, as well as various NGOs/advocacy groups.

Emerging Initiatives

As mentioned earlier, in 1986 Pierce Law established the first international, interdisciplinary program in intellectual property rights education in the United States, with specific focus on educating intellectual property rights professionals from developing nations on how intellectual property rights systems work. Over the past two decades, government officials, tech-transfer professionals, research institute administrators and lawyers from over 95 countries have attended these programs, supported by many public and private institutions, including WIPO, the U.S. Agency for International Development (AID) and the Fulbright Program.

“Intellectual property capacity fosters invention and drives innovation, raising standards of living and promoting international economic development.” — Dr. Stanley Kowalski '05

of Asia. Attempts to analogize Internet issues to locally relevant statutes or norms can lead to complicated and unpredictable legal scenarios where the law of the Internet is still nascent, or when international treaties or laws of foreign nations regarding open source materials, access, privacy and censorship are involved.

Recently, the Student Intellectual Property Law Association (SIPLA) convened a symposium to study the constitutional balance of protecting the content rights of special interests groups and the mandate to enhance the public domain. A controversial topic, the tension is not new. Pierce Law has not yet taken a position on the public policy of open source issues.

Professor Mary Wong has been most involved in this area of law. Her classes on copyright and emerging technologies demonstrate her interest in copyright issues in the public interest. She is a member of several organizations that address these issues, including the Freedom Task Force, an initiative of the Free Software Foundation Europe, an international group of lawyers providing ad-hoc advice and updates on legal issues affecting free software; and the Scientific Education and Learning in Freedom (SELF) Legal Experts Group, a group of

Recently, Pierce Law participated in projects organized by two organizations created by the Rockefeller Foundation in response to the changing environment on intellectual property in health and agriculture: the Public Intellectual Property Resource for Agriculture (PIPRA), an organization that seeks to facilitate access to intellectual property in order to foster the development and distribution of improved crops, for use in developing countries; and the Centre for the Management of Intellectual Property in Health Research and Development (MIHR) which seeks to promote access to health technologies in order to improve the well-being of poor people across the globe, via improved management of innovation and intellectual property in research and development.

Both PIPRA and MIHR share the common goal of facilitating best practices in the management of public sector intellectual property. These organizations view intellectual property as a tool for fostering innovation that should neither be unduly feared nor blindly embraced, but rather managed to maximize the benefits of innovation for all of society, especially for the poor.

With PIPRA, Pierce Law has provided assistance in evaluation of patent landscapes associated with agricultural

biotechnological applications having specific potential for distribution and use in developing countries. These studies have been conducted as part of an upper-level Intellectual Property Research Tools course taught by Professor Jon Cavicchi, with a patent literature survey produced by the students serving as both a graded report and also an informational document delivered to PIPRA. In a second phase of this project, led by Michelle Temple '01 of DEKA Research, students assemble the results of the patent survey, conduct additional analysis and then explore freedom to operate considerations.

In 2006, several members of the greater Pierce Law community participated in a meeting organized by MIHR, "Intellectual Property Management Strategies to Facilitate Early Access and Global Health Benefits: Case Studies in Pandemic Influenza and Malaria," held at WIPO in Geneva, Switzerland. The objective was to explore and discuss intellectual property and licensing issues that impact the distribution of vaccines to developing countries, a topic of heightened worldwide importance given the looming threat of a global influenza pandemic.

Pierce Law also made significant contributions to the recently published *IP Management in Health and Agricultural Innovation: A Handbook of Best Practices*. The *Handbook* is a joint PIPRA/MIHR project, prepared for policy makers, leaders of public sector research establishments, technology transfer professionals, licensing executives, scientists, the legal profession and the philanthropic community. A resource that is as comprehensive as possible on current intellectual property management issues and approaches, the *Handbook* offers information and strategies for utilizing the power of intellectual property while remaining aware of how it relates to the public domain. Pierce Law contributing authors include: Professor Karl Jorda, *Licensing know-how and trade secrets*; Visiting Professor of Law Karen Hersey, *Building professional networks: National and international experiences of AUTM*; and Dr. Stanley Kowalski '05, *Freedom to operate: The preparations*.

For more information on the Handbook, please visit: www.ipHandbook.org.

The Future

Intellectual property in the public interest is increasingly a global concern. Among law schools, Pierce Law is uniquely positioned to make significant contributions to this rapidly emerging field. The potential ramifications of such efforts are considerable, as intellectual property capacity fosters invention and drives innovation, raising standards of living and promoting international economic development. The end result is an engine, wherein the "gears" of education, invention, innovation and progress form an interconnected whole, with each "gear" driving the next. (See figure on page 2.)

In particular, building intellectual property capacity in developing countries, via educational and outreach programs, can advance social justice by facilitating equitable access to essential innovations in pharmaceuticals, vaccines and agricultural biotechnologies. This will then promote the global public interest by improving basic health and nutrition, especially

among the poor of developing countries, disproportionately represented by women and children. Stable societies will only be built and sustained, grow and prosper, when such fundamental needs are adequately provided.

Otherwise, disease, hunger and poverty will continue to fuel the engines of despair, instability and war.

A solid foundation of integrity, leadership and vision has made Pierce Law unique among law schools. In a spirit of innovation and entrepreneurship, Pierce Law transforms challenges into opportunities, and, in so doing, empowers colleagues from around the world to proactively work toward finding creative solutions to the intellectual property, technology transfer and legal impediments restricting access to products needed for improving public health and nutrition.

Pierce Law thereby simultaneously promotes the international rule of law, social justice and the greater global public interest.

Pierce Law, now transitioning into the new century, stands at a crossroads, strategically positioned to participate in global intellectual property initiatives that can significantly contribute to advancing social justice and thereby serving the greater public interest. Of course, this involves many challenges; yet these can also be viewed as unique opportunities. As Pierce Law tentatively explores how best to implement its principled mission, and cautiously considers its options, perhaps it is worth recalling how it all began, over 30 years ago, as a conversation between two dedicated, visionary, innovative men.



PUBLIC SERVICE IN THE NATION'S CAPITAL



The public service work of America's governmental employees affects not only the lives of virtually every American living today, but also the generations that will soon follow. While every federal agency is charged with a specific mission, at the core of every agency's focus is the directive to "enhance the quality of life of all Americans."

Over thirty Pierce Law alumni are currently working in public service positions in Washington, DC. They are helping to develop better transit systems, writing legislation, preserving America's history, working for a cleaner and healthier environment and much more.



Four Pierce Law alumni have provided a closer look at the federal agency they work for and the work they do.

George W. Blundall '91, law clerk to The Honorable Pauline Newman of the United States Court of Appeals for the Federal Circuit, is responsible for assisting the judge with legal research and writing, including the preparation of “bench memos” before oral argument and helping to draft the opinions.

Stephen S. Chan '04 serves as an attorney advisor with the United States Social Security Administration (SSA) and works on a variety of agency-level initiatives, including identity theft, healthcare disparities, and the history of SSA-related legislation. Chan's office is the agency's designated representative on the President's Identity Theft Task Force, which was established to strengthen efforts to protect against identity theft and the harm it causes consumers.

Jennifer Wamsley Grant '03, a trial attorney with the Antitrust Division of the United States Department of Justice, works on fast-paced merger investigations, “always with the goal of protecting consumers' interests.”

Elizabeth Hochberg '03 is an attorney advisor with the Smithsonian Institution, handling licensing issues and filming rights for various Smithsonian program offices including the National Air & Space Museum, the National Zoological Park and the National Museum of American History.

Their stories follow.

GEORGE BLUNDALL '91

**Clerk to Justice Pauline Newman
United States Court of Appeals for the Federal Circuit**

I began my career studying mathematics and physics at Drexel and Brown Universities. I later drifted into social work and earned an MSW from the University of Connecticut in 1979. I then worked as a psychiatric social worker in various mental health settings in Massachusetts, Maine and Rhode Island until deciding to go to law school in 1988.

I chose Pierce Law because of the school's reputation in intellectual property law. A friend also described the atmosphere there as relaxed and flexible, which turned out to be true, and made my law school experience quite enjoyable. I was able to spend a semester as an extern at the Court, which helped me obtain my clerkship a few years later.

After graduation, I worked for a year in San Francisco, at Townsend and Townsend, practicing patent prosecution in the electrical group and doing some work in patent infringement litigation. In September of 1992, I began my career clerking for Judge Newman.

As a law clerk, my duties are quite general—providing whatever legal research the judge needs and assisting in the drafting of the Court's opinions. Judicial clerking is probably the best job in the law, for it combines the fun of abstract legal analysis with the goal of reaching a just result. It's a bit like law school, but with the money flowing in the other direction.

When I am not working, I enjoy sailing, woodworking and giving tours in Asian art as a docent at the Freer and Sackler galleries here in Washington, DC.

Blundall is married to Ria Burghardt '90 who is working as the development director for the Institute for War and Peace Reporting, a London-based journalism advocacy organization.

STEPHEN S. CHAN '04

Attorney Advisor

Social Security Administration



Many private sector employers offer you what they typically term “work-life balance,” the ability to have the career you want without sacrificing your life. Prior to law school, I worked in the private sector, specifically the legal private sector. As far as I can tell, the scale is by far tilted the wrong way.

Working for the federal government has been an incredible experience. While the salary is not as competitive as the salaries available in the private sector, it has its “perks”; the opportunity for immediate experience, the ability to transition to another agency and the quality of life that makes a career with the federal government more attractive than other positions. I was predisposed to public service since several of my family members already held government positions. My father worked for the U.S. Department of Veterans Affairs as a radiologist for over thirty years until his retirement earlier this year. My older sister is an attorney with the Internal Revenue Service, and her husband is a major with the U.S. Air Force JAG. As such, I was familiar with the job opportunities available in the federal government.

While in school, I worked as a law clerk with both the U.S. Air Force JAG and the U.S. Army JAG. I prepared legislative comments for the U.S. Senate and House Armed Services Committees and responded to Freedom of Information Act requests.

I also authored administrative opinions regarding separations from the U.S. Military Academy and the Army ROTC. These two clerkships not only provided me with significant legal experience but also piqued my interest in a career in federal service.

Upon graduating, I obtained a position with the U.S. Copyright Office. As a senior copyright information specialist, I conducted extensive research using a variety of computer databases, and primary and secondary legal resources to respond to a range of inquiries regarding the copyright laws. I also had the opportunity to speak at various meetings, seminars and conferences about the copyright laws and the issues artists face in the digital age. This experience not only further improved my legal skills, it also rekindled my interest in law librarianship that I developed while interning for the Pierce Law library during my last semester.

Currently, I am an attorney advisor with the U.S. Social Security Administration (SSA). As a staff attorney to the executive counselor to the commissioner, I work on a variety of agency-level initiatives, including identity theft, healthcare

Alumni in Public Service in Washington, DC*

Karen Alfert '80	United States Department of Justice
Jill W. Anderson '93	Department of Health and Human Services
Megan Brock '01	Social Security Administration
Stephen S. Chan '04	Social Security Administration
Marc A. Chretien '88	United States Government—Committee on Government Reform
John C. Duff '01	United States Department of Energy
David G. Dye '79	United States Department of Labor
Richard B. Foley '86	Federal Deposit Insurance Corp.
Maria J. Getoff '93	National Indian Gaming Commission
Christina M. Glendening '06	IRS Treasury
Katharine A. Goepf '04	United States Department of Justice, Criminal Division
Gregory E. Gore '81	Federal Deposit Insurance Corp.
Bonnie L. Graves '04	United States Department of Transportation
Robert M. Kern '00	United States Department of Transportation
Alec J. Koromilas '91	United States Department of Labor
Paul J. Lorenzo-Giguere '90	Federal Maritime Commission
Susana C. Lorenzo-Giguere '89	United States Department of Justice
Melissa P. Marshall '80	Environmental Protection Agency
David L. McIlwain '78	United States Department of Justice
Andrew W. Moeller '99	United States District Court
Moiria Notargiacomo '91	Federal Energy Regulatory Commission
Matthew B. Riley '89	United States Customs Service
Timothy J. Ryan '00	United States Congress
Sabrina R. Scott '01	Office of the Honorable Kendrick B. Meek
Eric M. Seabrook '96	United States Senate
Mark A. Tomicich '89	Federal Aviation Administration
Laura J. Voyatzis '02	Air Force Office of Special Investigations
Jennifer A. Wamsley '03	United States Department of Justice
Joyce A. Zoldak '83	Federal Bureau for Litigation

**If your name was inadvertently omitted, our apologies. Please write us at alumni@piercelaw.edu and your name will be included in the next issue.*

disparities and the history of SSA-related legislation. Notably, my office is the agency's designated representative on the President's Identity Theft Task Force, which was established to strengthen efforts to protect against identity theft and the harm it causes consumers. This work has allowed me to participate in interagency meetings and briefings, even one at the White House, and analyze studies and reports that support this initiative.

A typical day involves researching and analyzing studies, publications, statutes and regulations related to the various projects in the office, for example identity theft and privacy issues or the impact of healthcare disparities on SSA's disability program. My ability to prepare accurate and concise summaries allows the office to stay abreast of current issues and pertinent developments and to develop new strategies in these areas. I also participate in meetings and briefings with senior staff as well as roundtable conferences with practitioners on these topics.

My research and project management experience has grown as the project leader responsible for tracking and compiling a history of SSA-related legislation from 1935 to the present. This research project requires me to review and determine which federal laws affect SSA, including legislation that amends the Social Security Act, requires action by SSA, or affects all federal agencies. Through this project I have gained a solid understanding of SSA's programs and their interrelation with other government programs as well as management and leadership skills.

Beyond the obvious benefits of work experience, my various positions with the federal government have given me the work-life balance that I found lacking in the private sector. It is typically a 40-hour work-week. While some might scoff at this, it is a 40-hour work week that is filled from start to finish with work that is not only quantitative but qualitative. I get to not only see the sunlight, but enjoy it as well!

While my work experience with the federal government has improved my ability to analyze issues, find information efficiently and clearly present information that I learned at Pierce Law, it has also reinforced my desire to return to school to obtain my master of science in library science (MSLS) and pursue a career as a law librarian. This fall, I will be attending the University of North Carolina at Chapel Hill (UNC). While in school, I will be working as a research assistant in the Faculty Research Service at the UNC Law Library. I know that because of my experiences working for the federal government and my education from Pierce Law, I will succeed in my studies and return to the federal government to continue my career in public service.

JENNIFER WAMSLEY GRANT '03¹

Trial Attorney, Litigation III
United States Department of Justice



The goals of the United States Department of Justice, Antitrust Division, are to prevent anticompetitive behavior and preserve and promote competition in the marketplace.

As a trial attorney with the Antitrust Division my responsibilities are varied. I work on fast-paced merger investigations, as well as civil nonmerger investigations, always with the goal of protecting consumers' interests.

I enjoy my work primarily because each day brings new challenges. Due to the complex nature of the cases, I am constantly provided opportunities to develop my skills as an advocate. In addition, the Division provides young lawyers with the support necessary to quickly develop key skills, such as taking or defending a deposition or negotiating with opposing counsel.

It was the ability to hit the ground running and start contributing to cases from day one that attracted me to a career at the Division. Plus, being charged with protecting consumers' interests makes my job rewarding. I get to wear the "white hat" and advance only those positions that serve the public interest. During each investigation, it is a challenge to step back from the minutiae of the investigation and to balance the interests of all parties and ask what is the right outcome. Too often lawyers are not afforded this opportunity and simply accept the position handed to them. The Division encourages attorneys to ask the tough questions and consider all sides of an issue, which makes working for the Division both challenging and rewarding.

My strong foundation in intellectual property has been invaluable preparation for my career. I often work on investigations in industries that rely heavily on intellectual property and that knowledge base has allowed me to advance an investigation and quickly identify potential issues. Further, it has allowed me to act as a resource for my colleagues.

1. Jennifer Wamsley Grant, United States Department of Justice, Trial Attorney, Litigation III. The views expressed in this statement are not purported to reflect those of the United States Department of Justice.

ELIZABETH HOCHBERG '03

Attorney Advisor
Smithsonian Institution



I've always felt compelled to be a public servant. I suppose it is because I came from three generations of military men; however, I have no desire to wear a uniform. Growing up in a Washington, DC, suburb, most everyone I knew (and their parents) were either in the military or worked for the federal government, so following

that path seemed natural for me.

My first position with the government was interning at the United States Patent and Trademark Office (USPTO) after my 1L year. This was followed by a clerkship at the United States International Trade Commission (USITC) the summer

following week, and when I began weekly meetings on yet another project at the National Air & Space Museum a few weeks later. With my contractor's badge I am able to park in Air & Space's first floor parking lot. I was utterly delighted the first time I parked there and realized that I was located ten feet below Apollo 12.

As I'm usually in a hurry, in the middle of my work-day at a museum, I go straight up to the employee area. I don't have a ton of time to stop and smell the roses. But I am acutely aware of how lucky I am to have the opportunity to walk past the Hope Diamond or the Star Spangled Banner as I rush to a meeting.

No day at the Smithsonian has been the same. I have anywhere from 20-40 active contracts or agreements on my docket at any given time. They range among exhibition loans, exhibition design and fabrication, museum construction, book publishing, product licensing, intellectual property and finance, just to name a few. Recently I helped the National Zoo with a purchase order and as a thank-you was invited to have a

“There has been one common thread in all of my federal jobs: kind-hearted people who genuinely care about the best way to spend taxpayer dollars and serve the public interest most expeditiously.”

— Elizabeth Hochberg '03

after my 2L year. Through these positions I experienced extraordinarily complex patent prosecution and litigation. Experiencing licensing seemed like the logical next step, so I accepted a position in technology development at the National Institutes of Health (NIH) shortly after taking the bar.

After a year at NIH, I left to join the Smithsonian Institution as a contractor. Some people questioned my career choice—to leave federal service to become a federal contractor—but the Smithsonian was hiring contractors at the time and I was willing to try any avenue that would perhaps get my foot in the door at such a unique and special workplace.

Once at the Smithsonian I couldn't believe my luck when I was asked to attend a meeting at the National Museum of American History on my second day. That luck continued when I negotiated a film agreement and attended the film shoot at the National Museum of Natural History later that week. And it continued when I assisted the National Museum of the American Indian with a publishing agreement the

meet-and-greet with the elephants when I delivered the finished documents. The animal keepers hinted that next time I could perhaps meet the giant pandas, so I'm crossing my fingers that another interesting zoo project will find its way to my desk.

There has been one common thread in all of my federal jobs: kind-hearted people who genuinely care about the best way to spend taxpayer dollars and serve the public interest most expeditiously. At the USPTO and USITC, the quest was to protect American innovation. At NIH, it was to save lives. And now at the Smithsonian it is to share and protect America's treasures and provide the best possible experience for all who choose to visit them. I'm proud to be a part of this mentality and am thankful every day that I work in a place where my contributions are valued and enjoyed by potentially millions of visitors. What else could I ask for?

Long Way to Pierce Law

BY ION C. ABRAHAM '07

UNIVERSITY OF NEW MEXICO SCHOOL OF LAW



Ion C. Abraham '07

One of the unique experiences at Pierce Law is getting to know the many international students who come here from all over the world, from Taiwan to Tanzania. I have learned a lot from their descriptions of their countries and cultures, and particularly from their reflections on the differences they see here in New England. In my case also, although I moved here from Albuquerque, New Mexico, there is more to the story. Most Pierce Law students assume that I was born in the United States and that I am a graduate student. Neither assumption is true.

I am a visiting JD student from the University of New Mexico (UNM), as part of an exchange program established almost ten years ago between Pierce Law and UNM. The program evolved out of a 1997 teaching improvement program that brought Professor Ted Occhialino from UNM to Pierce Law for a semester to teach civil procedure to 1Ls and to observe other classes and provide feedback on possible improvements. Occhialino was particularly impressed with the late Dean Viles' contract drafting class and the other intellectual property courses available at Pierce Law. The school, on the other hand, did not offer courses in several areas where the UNM curriculum is particularly strong. Those areas include natural resources, environmental and water law, immigration law, international and refugee law and a number of other courses for students interested in legal careers in governmental agencies. An exchange was therefore initiated that allows interested students to spend one or two semesters taking courses at the other institution. I am only the second student to take advantage of this remarkable opportunity. The first was Krista Smith, who spent the summer and fall semesters of 2005 at Pierce Law, and then returned by a special arrangement for the summer 2006 session.

While, so far, the exchange has only been from west to east, the sunny Southwest holds many attractions for Pierce Law students. It is a beautiful place, full of the creative interaction of the Hispanic, Native American and Anglo-American cultures. There are few better places to explore Native American art. New Mexico is described as a high desert, with Albuquerque truly a mile high (5000 feet), but it is a desert full of life and stunning natural beauty. The opportunities for exploration of vast wilderness areas in the summer, and world class skiing in the winter create the perfect environment for an outdoor enthusiast. New Mexico's breathtaking vistas readily show why it is called the "Land of Enchantment."

As my interest is patent law, I decided to finish out my third year at Pierce Law. I have a PhD in physical chemistry from the University of Wisconsin-Madison, so I lived for six years in the Midwest, before Sandia National Laboratories (a Department of Energy facility) moved us to Albuquerque,

where my wife and I have lived for the last seven years. My work as a research chemist at Sandia initially centered on laser diagnostics for semiconductor manufacturing processes, which was also the subject of my PhD thesis. Many steps involved in manufacturing chips such as the Intel Pentium use plasma chemistry. A plasma is produced by an electric discharge through a low pressure gas, which creates highly reactive charged chemical fragments, which can be directed toward the wafer surface, creating the patterns that end up as the chip in your computer. Creating the ever smaller patterns required for faster chips requires ever more exquisite control of the process, both in terms of the quantity and the identity of the chemical fragments that do the work. My research sought to develop better process control tools.

After the significant downturn in the semiconductor industry of 2001-2002, I changed my focus to research on reducing the platinum content of catalysts in hydrogen fuel cells. While hydrogen and methanol fuel cells have received a lot of publicity because of their potential for low pollution electric vehicles, it is generally less well known that the platinum requirements of these devices far exceed the amounts we drive around with in our catalytic converters, which are recycled (and sometimes stolen, as a friend and I recently experienced in Baltimore) out of vehicles, and also far exceed the available supply of platinum. All the platinum ever mined is less than 25 cubic feet, or about the size of a crate for a standard four-door automobile.

Both of these areas of research brought me in contact with patents and invention disclosures. I submitted several technical advancement disclosures, but none ended up as a patent. It is worth remembering, especially at Pierce Law, that useful inventions are rare and difficult to bring to fruition. Many of my fellow researchers were wary of patent attorneys, although they did like to get those first-page plaques on their wall. I decided that I wanted to bridge that gap, and so I enrolled in law school.

My decision was made easier by the fact that we have no children, and my wife enthusiastically endorsed my career change, making her eligible for sainthood in the eyes of several of our friends. Melinda is a planner for a Johnson & Johnson subsidiary that makes high-tech surgical instruments, of the type that are used for less invasive arthroscopic knee surgery. The planning department makes sure that all the parts are there in the right quantities for the manufacturing line to assemble the required number of instruments, a seemingly simple task that becomes very complicated for multiple component instruments. Melinda's background is even more complicated than mine. She was born in Los Angeles and has a

master's degree in public health with an emphasis in nutrition from UCLA. She published a syndicated column on diet and nutrition for several years. Along the way, she became involved with purchasing computers and scientific equipment for research institutions, almost by virtue of being bright and capable and in the right place at the right time.

Prior to meeting, both of us lived in the San Francisco Bay Area, where I went to high school and college (UC-Berkeley). I usually tell people that I am from northern California. This is mostly true, although I was born in Bucharest, Romania, and immigrated to the United States with my parents in 1980, at the age of 13. Americans still detect a slight accent in my speech, even though I have lived twice as long in the United States as I lived in Romania. I have a terrible accent in Romanian (as my sister informs me) and the vocabulary of a thirteen-year-old. My parents and my sister still live in the San Francisco Bay Area, although my parents are likely to retire soon back to Bucharest.

Romanian is a Latin-based language, fairly similar to Italian. Romania was the northeastern outpost of Emperor Traian's Roman Empire around 100 AD. Since that time, the Romanian language and culture have been influenced by the other major cultures in the region, including Turkish, German, Hungarian and Russian. The northwestern part of the country was part of the Austro-Hungarian Empire until the end of World War I. Romania was a communist country until 1989 and is now the newest member of the European Union, as of January 2007. About the only thing that many Americans know about Romania is that Nadia Comaneci, who won a gold medal in gymnastics at the 1976 Olympics, was from there. Some remember that her coach, Bela Karolyi, went on to a fabulous career coaching many United States gymnasts, including 28 Olympians, nine Olympic champions, 15 world champions, 12 European medalists and six United States national champions.

I have traveled far from Romania and I look forward to the next step in this journey. I will be an associate at Hamilton, Brook, Smith, Reynolds, an intellectual property firm outside of Boston. Professor Hennessey's daughter-in-law, Giovanna Fessenden '02 is also an associate (small world, isn't it?). New England is very beautiful and much greener than New Mexico. I am deeply grateful for the opportunity to study here at Pierce Law, and I know that I will carry the experience with me long into the future.

Interested Pierce Law students should contact UNM Assistant Dean for Admissions Susan Mitchell at Mitchell@law.unm.edu.



Coping with Freelance Termination Interests

As explained at Nike's website, the swoosh logo was created in 1971 by Caroline Davidson, a student at Portland State University. For her freelance work, she received \$35.00. Later, however, she received "a gold Swoosh ring embedded with a diamond... and an envelope containing [a still secret amount of] Nike stock." <http://www.nike.com/nikebiz/nikebiz.jhtml?page=5&item=origin> (visited June 13, 2007). Unlikely as it might be for such a thing to be even considered, could Ms. Davidson or her successors in interest terminate a copyright grant in 2027?

Under the 1976 Copyright Act, copyright in "works made for hire," as defined in 17 U.S.C. § 101, belong to those for whom work is done. That includes works of employees created within the scope of employment; see *Community for Creative Non-Violence v. Reid*, 490 U.S. 730, 740-41 (1989). Some works of freelance artists, programmers and writers may also be "for hire" if "prepared ... as a secondary adjunct ... for the purpose of introducing, concluding, illustrating, explaining, revising, commenting upon, or assisting in the use of [an] other work"—and if the parties so agree in writing, presumably before the work is completed.

Copyright in nonqualifying freelance work may be licensed or assigned. Under § 203(a), grants in work not for hire are, however, subject to termination after thirty-five, or

under § 304(c)-(d) as long as fifty-six, years. Must firms concerned about retaining rights beyond that point avoid freelance artists, programmers and writers? Regardless of what firms must do, risk aversion could cost many freelancers their independence. Is that necessary?

A few people recently expressed concern about such

things on the International Trademark Association's list-serv. Nike's swoosh was not mentioned, but consider that as a hypothetical. Caroline Davidson was not an employee; if the logo is not an adjunct work under § 101, could rights be subject to renegotiation? That is very unlikely; any copyright protection was forfeited by publication without notice in 1972.

Notice, however, is no longer required for copyright. What of logos created today? First, logos may not constitute copyrightable subject matter if initially designed as a mark, not as a work of art. See, e.g., 37 C.F.R. § 202.01(a) (identifying excluded subject matter).

Second, originality may defeat a claim to copyright. For example, Coach filed applica-

tions to register graphic patterns (one colored, one not) in 2001 and 2002. They consist of two linked letters (Cs) facing each other alternating with two unlinked Cs facing in the same direction and can be seen on Coach merchandise where they apparently function as logos.



"SWOOSH" Design 1971



Perhaps motivated by that, the Copyright Board of Appeals found relevant case law, regulations and its compendium of practices to preclude registration. In its view, letters of the alphabet cannot be copyrighted and Coach's variations and arrangements of the letter "C" demonstrated insufficient originality to establish the necessary amount of creativity required for copyright protection, *Coach v. Peters*, 386 F.Supp.2d 495 (S.D. N.Y. 2005), found that conclusion to withstand challenge under the Administrative Procedure Act.

Finally, § 203(b)(1) provides that "A derivative work prepared under authority of the grant before its termination may continue to be [used]." Thus, use of other "derivatives" might be barred, but logos adopted prior to termination would remain available.

Freelance writers pose very different issues. In that context, *New York Times Co., Inc. v. Tasini*, 533 U.S. 483 (2001), warrants mention. Addressing rights to use freelance contributions to collective works under § 201(c), the Court held that articles initially published in newspapers could not be reproduced in digital databases because that did not constitute a "revision" of the same work. Explicit permission was therefore required. Once permission is secured, however, database publishers should be able to continue use under §§ 201(c) and 203(b)(1), despite database supplementation, and despite termination of copyright in existing components.

If shelf life warrants, continued use of freelance software should be likewise permissible regardless of its for-hire status. At least until the basic character of a software suite is changed, adding or deleting components should neither require explicit permission under § 201(c) nor be construed as a new derivative under § 201(b).

Integrated components, particularly basic routines, seem more likely, however, to retain value for thirty-five years or longer. Unlike freestanding components of collective works,

"secondary adjunct" work can, subject to above-mentioned conditions, qualify as "for hire." If so, such work is exempt from termination regardless of programmers' employment status.

Attorneys are nevertheless paid to be anxious. Who wants to be in the position of arguing, for example, that a freelance-designed logo does not constitute copyrightable subject matter or that post-termination variations are not new derivatives? When stakes are high and statutory provisions untested, why not do everything in-house? The more the risks are appreciated, the more difficult it will be for freelancers.

Superstars aside, are freelance graphic designers, writers and programmers destined to go the way of the Dodo?

One alternative, acceptable in virtually no circumstance, is a written waiver of rights. Under § 203(a)(5), termination "may be effected notwithstanding any agreement to the contrary." That is likewise true of a

functional equivalent—agreeing that works are "for hire" when the facts and law indicate otherwise. See *Marvel Characters, Inc. v. Simon*, 310 F.3d 280 (2d Cir. 2002). True, agreements may be honored despite § 203(a)(5), but good will is often fleeting. Moreover, honor, good will and trade custom may count for little should strangers ultimately hold termination interests under § 203(a)(2).

A third alternative, however, that should be acceptable in virtually all circumstances, is for freelancers to structure their business-

es as virtually anything other than as sole proprietorships. Nothing in CCNV, much less in the Copyright Act, suggests that people who work for legally-distinct entities are any less "employees" because they happen also to own them. Hence, their work would be "for hire" under § 101, exempt from termination under § 203, and attractive to legally-savvy as well as ignorant clients.





Superior court judges Dale Radcliff '76 and his wife, Carmen Lopez, at their home in Bridgeport.

Married judges set new benchmark

BY DANIEL TEPPER
CONNECTICUT POST

Married state Superior Court judges Dale Radcliffe and Carmen Lopez have heard all the jokes.

"Hey, who wears the robes in your family?" "If you lose an argument, do you appeal to the Supreme Court?"

But as this judicial couple celebrate their sixth anniversary together, they may have the last laugh on people who said a relationship of two such diverse people couldn't last.

While in the state legislature, Radcliffe had a reputation as its most conservative member. As a judge, on the civil court side in Bridgeport Superior Court, he sits ramrod straight on the bench, showing little humor, ruling strictly according to law.

Lopez, on the other hand, is a lifelong Democrat who has dedicated her life to saving America—one child at a time.

While on the juvenile court bench in Bridgeport, she constantly butted heads with the judicial powers over what she saw as deficiencies. As a result, she now sits on the civil side in New Haven.

Rosa Correa, chairwoman of the Bridgeport Housing Authority, grew up with Lopez in the city. She later met Radcliffe as an active member of the state Republican party.

"They make a wonderful couple and I was very excited to be at their engagement party," Correa said. "It's wonderful to see how people with very different points of view, from

different cultural backgrounds and communities are united because of love. If we all took that example, we would be much better off."

These two couldn't be from more different backgrounds.

Lopez was born in the small Puerto Rican fishing village of Isabela. When she was 2 years old, her parents moved to Bridgeport, first settling on the East Side, and later moving across town to the former Evergreen Apartments on Fairfield Avenue. She attended parochial schools, Sacred Heart University and Suffolk Law School in Boston.

Radcliffe grew up in Trumbull; his parents had also grown up in the town.

For him it was public schools, then Allegheny College, Fairfield University and Franklin Pierce Law Center in New Hampshire.

Both practiced law in Bridgeport, but never ran into each other.

Lopez worked as an assistant city attorney, a hearing officer for the state Commission of Human Rights and Opportunities and vice chairman of the Democratic State Affirmative Action Committee. In 1996, she was a Clinton delegate at the National Democratic Convention in Chicago. She also didn't forget about her roots, serving as both grand marshal and president of Bridgeport's Puerto Rican parade.

Meanwhile, Radcliffe got involved in the Republican party in Trumbull, first as the town council's minority leader and later as its chairman. In 1988, he was elected a state representative. He served four terms and was the ranking member of the legislature's judiciary committee.

Politics in the Radcliffe–Lopez home is one thing the couple never agree on.

At night, he watches Fox News while she watches CNN which he joking refers to as the Clinton News Network.

In their very comfortable den in the Black Rock section of Bridgeport is a large three-section bookcase.

Not surprisingly, his section is on the right and includes books on Nixon, Newt Gingrich and Rush Limbaugh.

Her side is on the left and features books by former president Bill Clinton and Ralph Nader.

In the middle, the book *All's Fair*, by married political opposites James Carville and Mary Matalin, is prominently displayed. "I respect Dale's values of integrity and honesty and I know he respects mine," Lopez said. "And I always know I can go for a walk if it gets too much."

"We agree to disagree many times but you would be surprised how much we do agree," Radcliffe said. "Both of us came out of private law practice and not bureaucracy and we tend to look at things the same way."

One thing they both enjoy together is baseball. Radcliffe has been a fan since he was young, but Lopez only got into baseball recently but she has plunged in with both feet. She bought books on baseball and the couple are sponsoring a team in the Bridgeport Caribe Youth League. They named the team Isabela, after Lopez's birthplace.

"Carmen even wanted to be the coach of the team, but I convinced her she wouldn't have the time," Radcliffe said.

A team photograph is displayed prominently on the den wall.

The couple's first meeting had more to do with legislation than love.

It was 1986 and Lopez had been nominated to a judgeship by Gov. William O'Neill.

Lopez was to appear for confirmation before the Legislature's Judiciary Committee, headed by Radcliffe. The night before her appearance, she was terrified.

"All people kept telling me was how tough a questioner Dale was and I was really worried," she said.

"Well they were right," Radcliffe interjected.

But Lopez sailed through the hearing and Radcliffe didn't ask her one question. "I thought he was so sweet," she said.

What Lopez did not know at the time, because it hadn't been made public, was that Radcliffe had also been nominated for a judgeship, and therefore he believed it would not be ethical to participate in the questioning of other judge candidates.

But in the meantime, Lopez was sold.

Lopez volunteered to help Radcliffe catch up in the judge training program, which he joined late. Later they were both assigned to Superior Court in Waterbury.

"I was having trouble tackling some particularly tangled

matters and I mentioned it to Dale, and he went home and did a lot of research on the issues and helped me tremendously," she said. "He was so smart and kind, unlike what people would say or I had heard about. I was just struck by his kindness."

The first meeting of their respective parents didn't go quite as planned.

They were having a dinner at Radcliffe's former Trumbull home. His parents arrived right on time as is their custom. But after about an hour, Lopez' parents had not shown up.

Then there was a honking of car horns as her parents and other family arrived in a caravan of cars, all carrying a variety of food.

"I'm afraid Dale's parents weren't really prepared for that, but that's how a Puerto Rican family is," Lopez said.

She added that Radcliffe's mother later pulled her aside and suggested they see the movie "My Big Fat Greek Wedding."

If putting together a very diverse relationship wasn't enough, the couple decided to make it even more complicated by buying a house together in Black Rock. They purchased a small cinder-block ranch that was badly in need of renovation.

The entire interior of the small house was painted the same dark green color.

"My mother said they must have had a sale in that color at the paint store," Radcliffe said.

The house was in the midst of renovation when the couple married on May 6, 2000. They held their reception in the large backyard.

That small stodgy ranch has been transformed into a large, two-story stately home with rooms that appear as though they popped out of a fashion magazine.

A portion of the back yard was transformed into a brick courtyard, surrounded on three sides by archways copied from the El Convento Hotel in San Juan, where the couple honeymooned.

Radcliffe pulled out a couple of photo albums, showing before-and-after renovation pictures. He said it took three years to do the transformation.

"Carmen wanted to stay in Bridgeport, because that was where her roots were and I felt there is still a lot of potential in the city," he said. Along the way, the couple made a discovery that convinced them they were on the right course.

Lopez said in their dining room they noticed a broken wall mirror was painted over. When they pried the mirror off, she said they found it was covering a space stuffed with \$100 bills. "I took that as a sign we were meant to be here," she said.

Used with permission from the Connecticut Post, March 25, 2007. Photography by Christian Abraham/Connecticut Post.

New Hampshire has not been spared the devastating surge of home foreclosures among sub prime borrowers. From 2005 to 2006 the number of homes lost to foreclosure in the Granite State more than doubled from 459 to 1056. The Consumer and Commercial Law Clinic at Pierce Law (CCLC) has responded to this alarming trend with aggressive advocacy in state and federal courts, as well as before legislative committees. The Clinic is able to fulfill this mission, in part, through the generous support of an IOLTA grant from the New Hampshire Bar Foundation.

Consumer Law Clinic on Front Lines of Foreclosure Defense

BY PROFESSOR PETER WRIGHT '80

DIRECTOR OF CLINICAL PROGRAMS, CONSUMER

AND COMMERCIAL LAW CLINIC

The CCLC is a live-client clinic where second- and third-year law students have the opportunity to represent low-income clients in a range of matters involving homeownership and consumer finance. In a typical foreclosure case the student assigned to the case will interview the client, review all relevant documents, identify causes of action and draft pleadings raising claims under the Federal Truth in Lending Act, the Home Ownership and Equity Protection Act and various state laws which afford protection to the distressed homeowners. Many foreclosures are averted by the preparation and filing of a Chapter 13 bankruptcy petition. The students participate in all aspects of this process. This includes assembling the requisite paperwork, interviewing the client to determine the suitability of bankruptcy relief and preparing the petition and schedules, as well as the Chapter 13 plan. Clients are represented at the creditor's meeting and confirmation hearing, as well as with follow-up proceedings such as motions to dismiss and the inevitable motions for relief from the automatic stay.

Our students are permitted to appear before New Hampshire state courts and the federal District Court and Bankruptcy Court pursuant to student practice rules. Before any court appearance, students will participate in moot court exercises involving the client and several of their classmates who anticipate, prepare and present the opposing arguments. Following any court appearance, I debrief the students to critique their performance, review and evaluate strategies and note lessons learned.

The foreclosure crisis has brought out some of the worst elements of the subprime lending marketplace. Borrowers are often overwhelmed when the predatory features of their mortgages are triggered. When teaser rates expire and interest rates go through the roof, borrowers find themselves unable to meet monthly payments. Escrow shortfalls trigger forced placed escrow requirements, as well as other penalties. These cases sometimes require creative approaches to extricate the homeowner from an untenable lending situation. In several cases, the CCLC has represented clients in federal court to enforce the extended right to rescind a mortgage under the Truth in Lending Act based upon disclosure violations. In each of these cases a settlement was achieved which resulted in more favorable terms upon refinance.

Our clients have also encountered the threat of the "foreclosure rescue scam operator," a new variety of predatory lending whose design is profit by stripping equity from a homeowner in the throes of foreclosure. Under the guise of structuring a refinance or bailout loan, the "rescue operator" takes title to the borrower's home and in short order commences eviction proceedings. During 2006 and 2007 the clinic represented four families facing this problem. In *Comtois et al. v. MAK Investments, LLC* (In re Comtois), 2007 BNH 015 and *Comtois v. MAK Investments, LLC* (In re Comtois), 2007 BNH 022, we received favorable decisions from the Bankruptcy Court finding that the scammer had committed multiple unfair trade practices in violation of lending laws. In *Smith v. MAK Investments, LLC* (In re Drew), 2006 BNH 029 we recovered \$67,000 for the client who had lost his home to one of these operators. This came about through the successful litigation of a constructive fraudulent transfer claim in the bankruptcy court.

Students are also exposed to the legislative process as a powerful remedy for individuals facing the assault upon their

homeownership. Students have researched and prepared testimony for presentation to committees of the New Hampshire House and Senate, which were considering legislation impacting the consumer lending industry. This effort included appearing before the New Hampshire Senate Commerce Committee to offer testimony, including a live appearance by one of our clients, addressing the problem of the foreclosure rescue scam operators in New Hampshire. We also testified in support of legislation regulating the payday lending industry, the latest attempt to amend the exemptions in the Consumer Protection Act, as well as in opposition to a bill which would have reduced the rights of homeowners facing eviction following foreclosure.

The students gain tremendous insight and experience from their participation in all of these efforts. One student noted in her journal (following her oral argument in Bankruptcy Court), "I was able to answer every question [the judge] asked, and I was able to deliver my argument without looking at my notes. I referenced documents when I needed to, but I was familiar enough with them to locate exactly what I was looking for quickly. It was truly the pinnacle of my law school career. ... Not only did I find my voice, but I was empowered to reach for the brass ring and further, I was

triumphant in my quest. Maybe to a professor that sentiment seems exaggerated, but for me, that moment in the courtroom was utter gratification and fulfillment. I realized that I could do this thing called the practice of law."

Reflections like these validate the efforts of the clinical faculty to instill in our students the skills, professionalism and dedication to the clients and causes we represent. In addition to this valuable learning experience, our students obtain a clear glimpse of the professional fulfillment possible when helping those who lack access to the justice system because of limited income, education or other impediment. Thus, the CCLC is meeting its primary objective as a capstone course for our students, while helping combat the threat of predatory lending to New Hampshire homeowners.

This past fall, Wright traveled to Washington, DC, to meet with staff members of New Hampshire's congressional delegation on the subject of bankruptcy reform. With the support of the National Association of Consumer Bankruptcy Attorneys, he met with staff members from the offices of Representatives Paul Hodes and Carol Shea-Porter and Senator Judd Gregg.

Matthew Pinckey '08 meets with Professor Peter Wright '80.



Pierce Law Introduces New International Criminal Law and Justice Program

THREATS OF TERRORISM AND HEIGHTENED NATIONAL SECURITY ACTIVITIES ARE ON THE MINDS OF MOST AMERICANS TODAY. News of genocide, international counterfeiting and war crimes continues to make the daily headlines. The issues are now the focus of Pierce Law's new master level and interdisciplinary degree programs in international criminal law and justice.

"The new program is designed for the next generation of leaders—lawyers, peacekeepers—who will be struggling with issues of criminal law and justice that are global in nature," says Associate Dean Susan Richey. "We will offer both a Master of Laws in International Criminal Law and Justice and a Juris Doctor/Master of Laws degree program. Students may focus their studies in international criminal law and justice or they may opt to pursue a joint Juris Doctor/Master of Laws (LLM) degree in International Criminal Law and Justice. Graduate students may enroll in the LLM program or in the interdisciplinary Master degree program.

The International Criminal Law and Justice Program opened this spring with a one-week seminar held at the Institute of World Politics (IWP) in Washington, DC. Entitled "Advanced Topics in International Criminal Law and Justice Seminar," the seminar was taught by faculty from both institutions. The seminar included discussion of terrorism, genocide, war crimes, national security, international counterfeiting and money laundering. The IWP, a graduate school of national security and international affairs, offers training in defense strategy, intelligence and counterintelligence and public diplomacy.

"IWP faculty provided insights into international criminal investigation, computer crimes and the financing of terrorism," says Professor Keith Harrison, chair of the program.

"This is an excellent course for anyone interested in learning more about the dynamic field of international criminal law and the challenges that lay ahead for the global legal community," says Masoud Naseri '09 of Streamwood, IL. Naseri plans to practice intellectual property law on an international scope.

First-year student Daniel Landau '09 from Chester, NH, who also attended the program, agrees. "It was a great educational opportunity that I would encourage any student to participate in. The program effectively combined historical

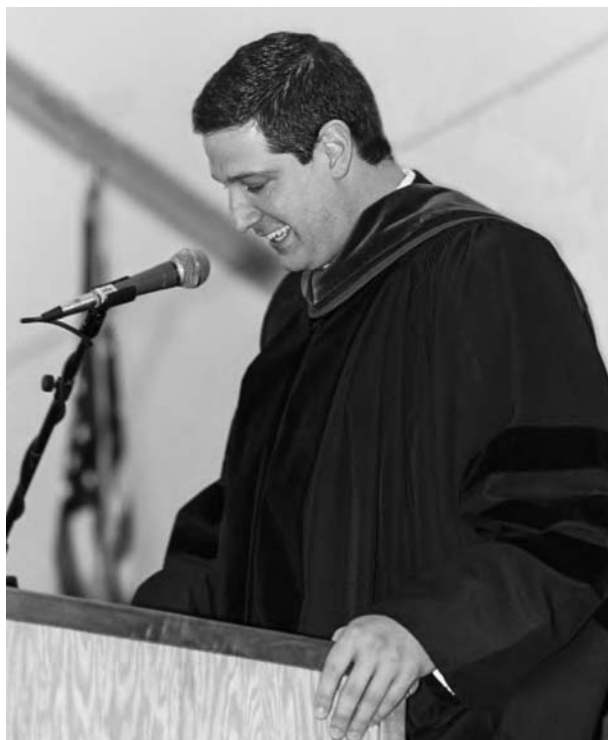


Pictured at the Institute of World Politics with Professor Keith Harrison are seminar students; Row 1: Jamie Nguyen '09, Amy Christensen '09, Joeann Walker '08, Shannon Gulley '09; Row 2: Jessica Rossi '09, James Tiderington '09; Row 3: Jameson Crockett '09, Fiona Finn (University College Cork); Row 4: Jennifer Bienenstock '09, Lauren Otto '09, Masoud Naseri '09, Sian Langley (University College Cork), Megan Yaple '09, Daniel Landau '09; Row 5: Jessica Roche '09, Michael Palmieri '09, Gaelan Flannery '09, Stephan (Pat) Morin '09, Michel Bohn '09; Row 6: Alexander Kimball '09, Neal Pike '09, Casey Garner '09, Adam Muller '08 and Michael Farah '09.

teachings of international crime with present day issues, which built the setting for a better understanding of what to expect in years to come. The excellent quality of the speakers left me wide-eyed and sitting on the edge of my seat for much of the program. Listening to the presenters for two hours could easily be the inspiration to a 30-year career."

Seminar faculty included: Pierce Law Dean John D. Hutson; Christopher Merriam, attorney, Computer Crime & Intellectual Property Section, U.S. Department of Justice; Nils Montan, president, International Anticounterfeiting Coalition; Dr. Siobhan Mullally, senior lecturer, University College Cork, Ireland; Brian Robinson, attorney, lieutenant, U.S. Coast Guard, primary legal counsel for the Chief of Law Enforcement for the Coast Guard; Dr. Marek Chodakiewicz, professor, IWP; Dr. Bradley Garrett, former special agent, Federal Bureau of Investigation; Dr. John Yurechko, professor, IWP; Dr. Christopher Harmon, Kim T. Adamson Chair of Insurgency and Terrorism, Marine Corps University and public affairs fellow, Hoover Institution on War, Revolution and Peace; and Dr. Michael Waller, Walter and Leonore Annenberg Chair in International Communication, and director, graduate programs on public diplomacy and political warfare, IWP.

Father of Video Games Receives Honorary Degree Ohio Congressman Timothy Ryan '00 Delivers Commencement Address



United States Congressman Timothy J. Ryan '00

United States Congressman Timothy J. Ryan '00 of Ohio addressed the graduating class at commencement exercises held in May. New Hampshire inventor Ralph Baer of Manchester, father of Pierce Law alumnus Mark Baer '88, was awarded an honorary degree.

Professor John Orcutt was selected by the students to deliver the faculty address. Jürg Domenig of Kernersville, NC, and Linh Thi Mai Nguyen of Hanoi, Vietnam, were selected by their classmates as student speakers. Christine Boisvert of Bedford, NH, was chosen to receive the staff recognition award for outstanding service to students.

A native of Niles, OH, Ryan was sworn in as the youngest Democratic member of the 108th Congress on January 7, 2003, his district's first new congressman in 17 years. Now serving his third term, Congressman Ryan represents more than 600,000 residents in Ohio's 17th district. He is a strong advocate for working families, focusing on the economy and quality-of-life issues of his district.

In 2006, House Speaker Nancy Pelosi chose Ryan to join the Democratic Steering and Policy Committee, which is responsible for nominating Democratic members to serve on House committees and

advising the speaker on policy.

In Congress, Ryan co-chairs the Congressional Manufacturing Caucus, working to strengthen the United States manufacturing base and reform United States trade policies. Ryan has also focused on making college more affordable, revitalizing America's downtowns and improving the health and well-being of American families and children.

Prior to his election to Congress, Ryan served in the Ohio State Senate and was the ranking minority member on the Ways and Means Committee. He was also a member of the Committee on Highways and Transportation, the Judiciary Committee on

bring college students into the debate over higher education funding.

Visionary and videogame pioneer, Baer, is referred to by videogame historians as the "Father of Videogames." His inventions transformed the television and computer gaming industries, and helped to launch a multi-billion dollar industry.

Baer holds more than 50 United States patents and 100 international patents. In 2006, President Bush awarded Baer the National Medal of Technology, the nation's highest award for innovation.

In addition to his success with videogames, Baer also developed a variety of successful electronic



Videogame pioneer Ralph Baer, honorary degree recipient

Criminal Justice, and the Insurance, Commerce and Labor Committee. He spearheaded efforts to establish a state-based earned income tax credit, standardize community school data reporting and

games and toys, including "Simon," "Maniac," "Computer Perfection," Tonka Toy's "Talking Tools" and a talking picture frame, "Time Frame."

Many of the prototypes of Baer's first inventions are

Criminal Practice Clinic Wins Precedent-Setting Case

Franklin Pierce Law Center's Criminal Practice Clinic recently won a precedent-setting case involving the imposition of extradition costs as restitution in a criminal case.

"This case presented unique legal issues regarding the construction of multiple statutes dealing with restitution, extradition and recovery of court costs. It marks a significant victory for defendants faced with the payment of substantial extradition costs in criminal cases,"

according to Professor Charles Temple, director of the Criminal Practice Clinic.

"A client of the Clinic was ordered by the Superior Court to pay the costs of his extradition from Florida to New Hampshire as part of his sentence on a felony probation violation," explains Temple.

Joseph Plaia '07 of Portsmouth, NH, submitted a Memorandum of Law and argued the case before Judge Carol Conboy in Merrimack

County Superior Court.

"Plaia argued that the applicable statutes did not authorize the imposition of extradition costs as restitution against his client," says Temple. "In his oral argument, he persuasively argued that the State could not be a victim for restitution purposes under the applicable statutes. Judge Conboy agreed with Plaia and issued a decision from the bench ruling that the State could not recover extradition costs as restitution."

Dan Dargon '08 of Concord, NH, wrote the Memorandum of Law with Plaia. Students in the Criminal Practice Clinic are certified by the New Hampshire Supreme Court to practice in New Hampshire under the supervision of Clinic Director Charles Temple. They represent indigent defendants in the district and superior courts. The Clinic handles a variety of misdemeanor and felony cases.

COMMENCEMENT 2007

Cont'd from page 21



Linh Thi Mai Nguyen of Hanoi, Vietnam, student speaker

now part of the collection of the Smithsonian Institution's National Museum of American History. The Smithsonian's Lemelson Center for the Study of Invention and Innovation recently published an online archive of Baer's papers. The Museum of the Moving

Image, Queens, NY, will house Baer's "brown box" and other models on permanent display. The American Computer Museum, Bozeman, MT, will ship the entire contents of his basement workshop to museum galleries to be preserved. In 2005, he received a Legend Award at the G4 Video Game

Award Show for his work in the development of video games.

Baer was born in Germany in 1922 and, at age 16, fled to the United States with his family when Nazi anti-Semitism forced him to leave school. He worked briefly at a New York factory that produced leather accessories before enrolling at the National Radio Institute to become a radio service technician. In 1943, he joined the U.S. Army, and was assigned to Military Intelligence, attached to Eisenhower's Headquarters in London, but stationed in France. In 1949, he earned a BS in television engineering, the first such degree awarded in the United States, from the American Television Institute of Technology in Chicago.

In the early 1950s, Baer worked on electro-mechanical equipment, including military systems, while

employed by Wappler, Inc. (then Loral Electronics and then Transitron, Inc.) where he became vice president of engineering and moved with the firm from New York to Manchester. In 1956, he joined Sanders Associates in Nashua, NH, until his retirement in 1987.



Professor John Orcutt delivered the faculty address.

Judge Conboy '78 Receives Lifetime Achievement Award



Judge Carol Conboy '78 at the Manchester Bar Association awards dinner with her former law partners, Jack Middleton (l.), a Pierce Law trustee, and Bruce Felmly (rt.).

A 1978 graduate of Pierce Law, Conboy began her career as a clerk for Judge Shane Devine, the former chief judge of the New Hampshire Federal District Court. She was a partner at McLane, Graf, Raulerson & Middleton, Manchester, NH, prior to her appointment to the bench in 1992.

A member of the Pierce Law Board of Trustees, she currently serves as chair of both the New Hampshire Supreme Court Advisory Committee on Judicial Ethics and the New Hampshire Superior Court Sentence Review Board.

Conboy earned her undergraduate degree from the University of Connecticut and served as a U.S. Air Force officer during the Vietnam War.

Susan Richey Appointed Associate Dean

The appointment of Susan Richey to the position of associate dean of Pierce Law was recently announced by Dean John D. Hutson.

Richey, who most recently served as associate dean of graduate programs, has taught intellectual property courses focusing on trademark, copyright and advertising matters since 1988. She is an active member of the International Trademark Association (INTA) and serves as chair of the INTA Panel of Neutrals, a group trained to resolve commercial disputes through mediation and arbitration. She has also been involved in numerous programs teaching intellectual property concepts to non-lawyers, including work-

shops sponsored by the World Intellectual Property Organization (WIPO) and UNITRAD, the training arm of the United Nations.

Before joining Pierce Law, Richey spent thirteen years litigating intellectual property disputes with the former firm of Riordan & McKinzie in Los Angeles, CA. Prior to entering private practice, she served as a staff law clerk with the United States Court of Appeals for the Fourth Circuit.

She holds a BS from the College of William and Mary, BA from the University of Baltimore and JD from the University of Maryland.

The Honorable Carol Ann Conboy, justice of the New Hampshire Superior Court, was recently awarded the Manchester Bar Association's annual Lifetime Achievement Award.



Pierce Law students Andrea Leczynski '08 of Bedford, NH, and Ross Hicks '07 of Bow, NH, won second place in the national finals of the 34th Annual Giles Sutherland Rich Memorial Moot Court Competition held this spring in Washington, DC. Sponsored by the American Intellectual Property Law Association, the competition focuses on problems in intellectual property.

Twenty Retired Generals and Admirals Meet with Presidential Candidates at Pierce Law



Ehren Joseph

Senator Hillary Clinton (center) meets with General Joseph P. Hoar (l.) and General Charles Krulak (rt.).

An unprecedented gathering of retired generals and admirals with backgrounds in combat operations, intelligence, law and medicine met with presidential candidates at Pierce Law to discuss United States detention and interrogation policies.

The gathering, which took place in April, was hosted by Dean John D. Hutson and Human Rights First, a New York-based nonpartisan, non-profit group. The group of retired senior leaders met with individual candidates over the course of the weekend. All Republican and Democratic candidates who had formally announced their candidacy or established exploratory committees were invited to attend the meet-

ings. Senators Hillary Clinton and Joseph Biden and Congressman Dennis Kucinich met with the group.

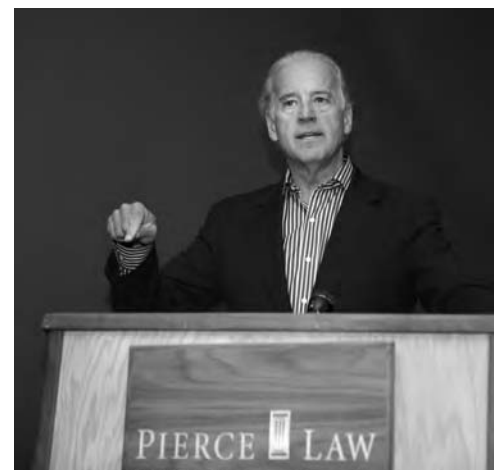
The event was chaired by three retired four-star officers with wide-ranging experience: Gen. Charles Krulak, former Commandant of the Marine Corps; Gen. Joseph P. Hoar, former Commander in Chief of Central Command, which includes the Middle East; and Gen. Paul J. Kern, who was responsible for conducting an official investigation into events surrounding the allegations of detainee abuse at Abu Ghraib.

"This will be a forum where candidates can come and talk to individuals with solid experience in the military and geo-politics," said

Gen. Krulak prior to the conference. "It will be an opportunity for them to learn of some of the issues that are important to individual soldiers, sailors, airmen and Marines with regard to the Code of Conduct and treatment of enemy prisoners."

Other retired military officers in attendance included: Gen. Merrill A. McPeak, USAF; Lt. Gen. Robert G. Gard Jr., USA; Vice Adm. Lee F. Gunn, USN; Lt. Gen. Charles Otstott, USA; Lt. Gen. Harry E. Soyster, USA; Rear Adm. Don Guter, USN; Maj. Gen. Fred E. Haynes, USMC; Maj. Gen. Melvyn Montano, ANG; Maj. Gen. William Nash, USA; Brig. Gen. David M. Brahms, USMC; Brig. Gen. James P. Cullen, USA; Brig. Gen.

Murray G. Sagsveen, USA; and Brig. Gen. Stephen N. Xenakis, USA.



Senator Joseph Biden speaks with members of the media at a press conference held at Pierce Law.



Eliren Joseph

Congressman Dennis Kucinich discusses issues with twenty retired military officers at Pierce Law in April.

Professor Hennessey Joins U.S. Chamber of Commerce Initiative on Intellectual Property in China

Professor William O. Hennessey has been invited to join a new intellectual property initiative created in China by the United States Chamber of Commerce and the U.S. Embassy in Beijing, following the April 9, 2007, announcement by the United States that it will seek dispute settlement with China in the World Trade Organization over China's inadequate enforcement of its intellectual property laws.

The Chamber's new initiative, the Intellectual Property Working Group, is seeking to strengthen ongoing collaboration with intellectual property authorities in a number of



Professor William O. Hennessey

Chinese provinces, including Jiangsu, and to promote more effective enforcement and increase intellectual property awareness in the provinces.

Hennessey will meet with representatives in Nanjing, China, in July. Members of the

IP Working Group include approximately twenty individuals, ten from the United States and ten from China, from Jiangsu intellectual property and related offices, the United States Chamber of Commerce, United States government and other intellectual property experts. They will be responsible for determining areas and projects for cooperation and evaluating the effectiveness of ongoing initiatives.

Additional committee members include: Myron Brilliant, vice president, Asia, United States Chamber of Commerce; Jack Chang, senior intellectual property counsel,

Asia, General Electric; Hugh Stephens, senior vice president, international relations and public policy, Asia, Time Warner; Ron Guido, vice president, global brand protection, Johnson & Johnson; Malcolm Lee, senior director and senior policy counsel, law and corporate affairs, Microsoft, China; Nils Montan, president, International Anti-Counterfeiting Coalition; Judge Randall Rader, Federal Circuit Court of Appeals; and Mark Cohen, IPR attaché, U.S. Embassy to the People's Republic of China.

Graduating Students Receive Awards



Sarah Brown '07 and Geoffrey Ward '07 received the Howard James Nedved Commencement Award. They are pictured here with award donor Ginny Nedved of Nashua, NH, at the May awards ceremony.

Pierce Law honored six graduating students in May with special recognition awards. The awards are given annually prior to commencement.

Charlotte Ancel of Burlington, VT, received the National Association of Women Lawyers Award, presented to a law student who contributes to the advancement of women in society, promotes issues and concerns of women in the legal profession, exhibits motivation, tenacity and enthusiasm, demonstrates academic achievement and earns the respect of the dean and faculty.

Nicholas Barnes of Pawtucket, RI, received the American Law Institute-American Bar Association Award, presented to a law student in the graduating class who best represents a combination of scholarship and leadership.

Sarah Brown of Manchester, NH, and Geoffrey Ward of Portsmouth, NH, were both given the Howard James Nedved Commencement

Award, presented to a graduating student who participated in the Association of Trial Lawyers of America Student Trial Advocacy Competition

and the National Trial Competition, and who participated in the Bar Review and has applied to take the bar exam in any state.

Julia Siripurapu of Melrose, MA, received the Yacos Prize honoring the memory of Judge James E. Yacos who sat on the bench of the U.S. Bankruptcy Court in New Hampshire for 15 years. It is awarded to a student who has shown exceptional merit in an area of commercial legal studies.

Pin-Yang Tsai of Taipei, Taiwan, received the Graduate Student Award given to a graduate student who demonstrates exemplary leadership and global perspective by teaching, learning, or contributing productively to a global legal system.



Carol Bidwell (center) and David Reed (rt.), consultants to the World Intellectual Property Organization, were key speakers at this spring's Ninth Comprehensive Patent Cooperation (PCT) Treaty Seminar directed by Professor Karl Jorda (l.).

Daniel Webster Scholars Selected for First-in-the-Nation Bar Exam Alternative



Fifteen students from the class of 2009 were selected as this year's Daniel Webster Scholars. Pictured are (l.-rt.): first row, Christopher Paul, Rose Culver, Adam LaRock, Kristin Scaduto, Leila Archambeault, Heather Devine, Jennifer Bienenstock and Nicole Negowetti; second row, Haney Thabet, Christopher Gosselin, Jessica Roche, Joseph Mattson, Kirk Simoneau, Kevin DeJong and S. Patrick Morin.

Fifteen students have been selected to participate in Franklin Pierce Law Center's Daniel Webster Scholar Honors Program, the first program in the nation to offer law students an alternative to the traditional state bar exam. This is the second group of scholars selected for this unique program that was introduced in 2006.

According to Professor John Garvey, director of the program, "The Webster Scholars will receive extensive, practice-based training designed to prepare them to be client-ready in a broad sense, rather than concentrat-

ing on a specific area. Instead of a traditional two-day bar exam, the Webster Scholars will create portfolios of their work and will undergo a two-year, comprehensive series of exams in conjunction with extensive hands-on training."

This year's Daniel Webster Scholars, who will graduate in 2009, include: Leila Archambeault, Chelmsford, MA; Jennifer Bienenstock, New Rochelle, NY; Rose Culver, Concord, NH; Kevin DeJong, Lebanon, NH; Heather Devine, Nashua, NH; Christopher Gosselin, Manchester, NH; Adam LaRock, Penn Yan, NY; Joseph

Mattson, Center Harbor, NH; S. Patrick Morin, Concord, NH; Nicole Negowetti, Edison, NJ; Christopher Paul, Amherst, NH; Jessica Roche, Chevy Chase, MD; Kristin Scaduto, Georgetown, MA; Kirk Simoneau, Bedford, NH, and Hany Tahbet, Brooklyn, NY.

Students were chosen by a committee that included: two justices of the New Hampshire Supreme Court, two former New Hampshire Bar presidents, two deans from Pierce Law, three faculty members and other experienced practitioners. Students were selected on the basis of overall ability, including

academic, professional and interpersonal strength.

Initiated by the New Hampshire Supreme Court, the program is a collaborative effort of the Court, the New Hampshire Board of Bar Examiners, the New Hampshire Bar Association and Pierce Law. The first class of Webster Scholars was selected in the spring of 2006 and will graduate in 2008.

Stephen B. Bright Talks About Death Penalty at Kenison Lecture

The death penalty was the focus of the Kenison Lecture presented in the spring by Stephen B. Bright, president and senior counsel for the Southern Center for Human Rights, Atlanta, GA.

Bright's presentation, entitled "The Death Penalty and the Society We Want," was the eleventh in a series of lectures that honor Frank Rowe Kenison, Chief Justice of New Hampshire from 1952 to 1977.

Bright joined the Center in 1982, serving as its director until 2005. He has represented people facing the death penalty at trial and on appeal, as well as prisoners in challenges

to inhumane conditions and practices. He has written numerous articles on the right to counsel, racial discrimination in the legal system, and judicial independence. He also testified before committees of both the U.S. Senate and House of Representatives. In 2005, the work of the Center was the subject of a documentary, "Fighting for Life in the Death Belt."

He has received honorary degrees for his continued public service from the John Jay College of Criminal Justice, Northeastern University, the University of Louisville and the University of Central

England, Birmingham, UK. In 1998, he received the American Bar Association's Thurgood Marshall Award and in 1991 was awarded the American Civil Liberties Union Roger Baldwin Medal of Liberty. He is a member of the Alumni Hall of Fame at the University of Kentucky College of Law, where he

earned a JD degree in 1974.

Bright is a regular lecturer at Harvard and Yale law schools. Before joining the Center, Bright was a legal services attorney in Appalachia, and a public defender and director of a law school clinical program in Washington, DC.

Two Students Named Schweitzer Fellows



Theresa Casey '08



Jessica Roche '08

Two Pierce Law students were selected as Schweitzer Fellows by the NH/VT Schweitzer Fellows Program, based at Dartmouth College. Theresa Casey '08 of Concord, NH, and Jessica Roche '08 of Chevy Chase, MD, were named "Fellows for Life" and will now join a national network of distinguished law and medical students who have worked to improve healthcare for underprivileged people around the world.

As Schweitzer Fellows, they will work with local community agencies to carry out a project that addresses the needs of local residents. Each

will contribute 200 hours of direct service. Casey will focus on raising environmental and sustainable development awareness in the state and will work with REACH, a New Hampshire grassroots organization working to preserve the environment. Roche will teach self-advocacy skills to high school students with mild disabilities.

The mission of the Schweitzer Fellowship Program is to develop individuals who are dedicated and skilled in addressing the health needs of underserved communities, and whose examples influence and inspire others.



Faculty members from the United States and overseas taught courses at the Intellectual Property Summer Institute this year. Pictured are (l. to rt.) Geoffrey Dellenbaugh, former executive director of external relations, The R.W. Johnson Pharmaceutical Research Institute, Raritan, NJ; David Plant, former partner, Fish & Neave, NY, NY; Konrad Becker, former head, Patent and Trademark Department, Novartis, Zurich, Switzerland; and Ronald Weikers, Weikers & Co. Manchester, NH.

FACULTY IN ACTION

Adjunct Professor of Law and Mental Health Eric Drogin

recently began his term as chair of the American Psychological Association's Committee on Professional Practice and Standards. He was also appointed to the faculty of the Harvard Medical School in the Department of Psychiatry at Beth Israel Deaconess Medical Center.

Professor William O. Hennessey and Visiting Professor Karen Hersey

attended a meeting of thirty law professors and prominent attorneys in Washington, DC, for the Bill and Melinda Gates Foundation. They provided input concerning the direction the Foundation should take in its initiatives to promote global access to medicines, particularly HIV/AIDS and malaria treatments. The Foundation intends to donate \$1.2 billion in 2007 in support of its various missions.

Professor Emeritus Richard A. Hesse

facilitated a forum entitled "Shifting Ground: Religion and Civic Life in America." The six-week program served as a pilot project for the New Hampshire Humanities Council to explore ways to open lines of communication on issues at the intersection of public policy and religious belief/practice. The program may serve as a model for similar programs throughout the nation.

At the request of the Korean Intellectual Property Office (KIPO), **Professor Karl Jorda** will author an article for the

30th anniversary publication of KIPO that will deal with the role of trade secrets in conjunction with patents in intellectual property management strategies. He also moderated and presented lectures in roundtable discussions on "Trade Secret Strategies" and "Intellectual Property Valuation" at a two-day joint program of the Intellectual Property Academy and the Intellectual Property Office of Singapore. Jorda and **Associate Dean Susan Richey** presented lectures at the WIPO-UNITAR Workshop for United Nations Diplomats held in New York City. Jorda lectured on "Basic Principles of Patents" and Richey discussed "Basic Principles of Trademarks."



Professor Brenda Reddix-Small

Professor Brenda Reddix-Small participated in a Voting Rights Roundtable at Williams College. Participants included academicians, legal scholars and lawyers. It is a follow-up to the NYU/Brennan Center publication entitled "Civil Rights and Liberties."

Professor Buzz Scherr is serving as DNA counsel in a murder case in Middlesex County Superior Court in Cambridge.

Professor Mitchell Simon was recently appointed by the New Hampshire Supreme Court to the Access to Justice Commission.

Professor Sophie Sparrow conducted a teaching workshop at Wisconsin Law School. She met with students, consulted with individual professors and co-presented a teaching workshop on active learning, entitled, "Using Active Learning to Engage Students." She presented a workshop, "Building Positive Classroom Environments" at the Institute for Law School Teaching's Annual Summer Conference, New Frontiers in Teaching and Learning, in Boston, MA. She also attended the 2007 Biennial Conference of the Association of Legal Writing Directors, "Best Practices in Teaching, Management, and Scholarship" held in Denver, CO, and conducted a one-day workshop on "Writing Effective Opinions" for New Hampshire judges, masters and hearing officers.

Professor Amy Vorenberg presented a workshop "Non-traditional Methods for Evaluating Teaching" at the Institute for Law School Teaching's Annual Summer Conference, New Frontiers in Teaching and Learning, in Boston, MA.

Professor Mary Wong

presented a lecture at a one-day, invitation-only, roundtable conference in London, organized by Queen Mary University of London, Fordham University School of Law and the Intellectual Property Academy of Singapore. The speakers included academics, judges and senior government officials. They exchanged United States, European Union and Asian perspectives on "The Next Ten Years in Intellectual Property Law: What Should Happen? What Will Happen?" She also presented a program at the fourth annual Asian Intellectual Property Law and Policy Day, co-organized by the Intellectual Property Academy Singapore and Fordham Law School and held in conjunction with the Fifteenth Annual Fordham International Intellectual Property Law and Policy Conference in New York City.



Professor Amy Vorenberg

CAREER SERVICES

BY MARY SHEFFER '92, ASSISTANT DEAN AND CO-DIRECTOR, CAREER SERVICES

ALUMNI RETURN FOR ON-CAMPUS INTERVIEWS

During the fall recruiting season, the Career Services Office hosted thirty employers, which resulted in over 260 interviews for summer and permanent positions. We would like to thank the following alumni who conducted these interviews and hired our students: Samuel Apicelli '93, Duane Morris, LLP, Harrisburg, PA; Christopher Blank '85, Hiscock & Barclay, LLP, Rochester, NY; Dominick Conde '90, Fitzpatrick, Cella, Harper & Scinto, New York, NY; Neil Ferraro '95, Wolf, Greenfield & Sacks, P.C., Boston, MA; Suzanne Ketteridge '03, New Hampshire Public Defender, Concord, NH; James LaBoe '00, Orr & Reno, P.A., Concord, NH; Neil Maloney '99, Fenwick & West, LLP, Mountain View, CA; Ann McCrackin '97, Schwegman, Lundberg, Woessner & Kluth, P.A., Minneapolis, MN; Kristin Murphy '97, Rader Fishman & Grauer, PLLC, Bloomfield Hills, MI; Keith Noe '91, Lowrie, Lando & Anastasi, LLP, Cambridge, MA; Andrew Parfomack '87, Norris, McLaughlin & Marcus, P.A., New York, NY; Michelle Temple '01, DEKA Research & Development Corporation, Manchester, NH; and Michael Wasco '06, Downs Rachlin Martin PLLC, Burlington, VT.

We invite alumni to return to Pierce Law to conduct interviews during the academic year. Please email careerservices@piercelaw.edu or call 603.228.1541.

CAREER SERVICES FOR ALUMNI

As alumni of Franklin Pierce Law Center, you are entitled to lifetime access to the services offered by the Career Services Office.

Visit www.piercelawjobs.com

All job openings are posted in our database at www.piercelawjobs.com. To register, please click on the alumni icon. Fill out the brief registration form (only 3 questions) and return to the home page. Enter your new username and password, and you will be able to search our database. In addition, you will gain access to the Intercollegiate Job Bank, which hosts alumni job bulletins from law schools across the country, and the Nontraditional Legal Employment Report, a biweekly publication, listing opportunities that utilize a law degree in a nontraditional position or setting.

Reciprocity

The Career Services Office can request reciprocity for you that will enable you to use career services at other law schools. Although many may have a "black out" period during fall recruiting and will not permit visitors at that time, you may want to take advantage of this at other times during the year. We can request reciprocity from only one school per graduate, so please keep in mind that you will be more successful if you use a school that is most similar to Pierce Law.

Partial list of firms that hired Pierce Law students for Summer 2007

Brookstone, Merrimack, NH	Hillsboro County Attorney's Office, Manchester, NH	Preti Flaherty, Portland, ME
Cesari & McKenna, Boston, MA		Proskauer Rose LLP, Boston, MA
Connolly Bove Lodge & Hutz LLP, Washington, DC	Hoffman, Warnick & D'Alessandro, LLC, Albany, NY	Ratner Prestia, P.C., Philadelphia, PA
Department of Transportation, Washington, DC	Jenner & Block, LLP, Chicago, IL	St. John Knits International, Inc., Irvine, CA
EMI Music, New York, NY	Kilpatrick Stockton LLP, Washington, DC	Shaheen & Gordon, P.A., Concord, NH
Farnsworth Museum, Rockland, ME	Las Vegas Public Defender, Las Vegas, NV	Saunders Silverstein & Booth LLP, Newburyport, MA
Ferris, Chandler & Crook, Waterville, ME	Merck & Co., Inc., Whitehouse Station, NJ	Sterne, Kessler, Goldstein & Fox P.L.L.C., Washington, DC
Gallagher, Callahan & Gartrell, Concord, NH	Morgan & Finnegan LLP, New York, NY	United States Patent and Trademark Office, Alexandria, VA
Hasbro, Inc., Pawtucket, RI	National Education Association, Concord, NH	Webb Law Firm, Pittsburgh, PA
Law Offices of Daniel Hempey, Lihue, HI	Oliff & Berridge, PLC, Alexandria, VA	Words & Music, Nashville, TN

Alumni are our best source for references and referrals. Please consider encouraging your employer to recruit and hire Pierce Law students and graduates.

DEVELOPMENT NEWS

BY GAYLE W. MAZALEWSKI, DIRECTOR OF DEVELOPMENT

New Endowed Funds

In recent months, four new endowment funds have been established that will provide critically needed financial assistance for deserving Pierce Law students and recent graduates. Last fall, the Board of Trustees endorsed an effort to build the endowment by raising gifts for student scholarships and the Loan Repayment Assistance Program (LRAP). The gifts funding these newly established funds are among the first responses to this effort.

A named endowment fund can be created with a minimum gift of \$25,000. Contributors to our effort include alumni who benefited from their Pierce Law experience and now want to give back and individuals who care deeply about the mission but until recently had only a limited relationship with Pierce Law. Each of these generous gifts comes with a powerful story behind it.

The Stanley M. Brown Scholarship Fund

The Brown family legacy at Pierce Law began in the early 1970s when Stanley M. Brown, working for the American Bar Association, helped Pierce Law gain accreditation. This legacy continues with his son, Kenneth C. Brown '78, a current member of the Board of Trustees, Ken's son, Andrew '06, and daughter, Sarah '07.

As chair of the Major Gifts Committee, Ken assumed a leadership role both in managing the committee's efforts and with his own generosity. Ken has established a scholarship fund honoring his father that will provide financial assistance to a Pierce Law student who is a New Hampshire resident and who graduated from a New Hampshire public high school. A lifelong New Hampshire resident and clearly proud of it, Ken explains that he, his father, Andy and Sarah are all graduates of the New Hampshire public school system and he wants to assist others who have had a similar experience.

Fleisher Family Fund at Franklin Pierce Law Center

Dean John Hutson smiles as he remembers first meeting Hilda Fleisher '81 and says it was the first, and only, time a graduate described themselves to him as a "patron of the arts." However, Hilda's interests go well beyond art. She served in the New Hampshire legislature and realized a life in politics was not to be. At the suggestion of a fellow legislator, she decided to go to law school with no clear career objective. She says law school was hard work but she loved her Pierce Law experience, the friends she made and the different side of life that law school offered.

In recognition of her Pierce Law experience and acknowledging the financial disparities new public interest lawyers face with their career choice, Hilda has established an LRAP fund that will provide an annual award to assist one or more recent Pierce Law graduates. These recipients shall be employed as public interest/social justice advocates in the state of New Hampshire.

The Alison Howland Curelop Hayward Fund

Ellen and the late Dr. Sidney Curelop, longtime Nashua, NH, residents, held great esteem for David Frydman, former director of the Health, Law and Ethics Institute at Pierce Law. When they wanted to memorialize their deceased daughter, Alison, who had been a public interest lawyer, they turned to Pierce Law even though she was not a graduate. Through Alison's experience, Ellen and Sidney fully understood the financial challenges public interest lawyers face and appreciated Pierce Law's excellent work in educating and training public interest lawyers.

The fund they established in Alison's memory is now the largest endowed LRAP fund at Pierce Law. This fund will provide an annual award to assist one or two recent Pierce Law graduates who perpetuate Alison's commitment to public service. The recipients shall be employed as public interest/social justice advocates and preference will be given to graduates practicing health care law.

Phillips Green Defender Fund

Cathy J. Green '77, current member of the Board of Trustees, is a former public defender and longtime member of the Board of Directors of the New Hampshire Public Defender. She and her family have established the Phillips Green Defender Fund to assist annually one or more Pierce Law graduates, who are hired as public defenders and pledge to remain in that job for three years, with their law school loans. Preference will be given to a graduate in the New Hampshire Public Defender Program.

Cathy is very aware of the huge educational debt load many lawyers face when they leave law school and how difficult it is to remain in the public defender program when private practice promises a much more lucrative financial position. She and her family hope that, through their LRAP fund, some Pierce Law graduates will become public defenders and dedicate themselves to the "difficult but tremendously rewarding career of criminal defense."

ALUMNI OFFICE NEWS

Supporting Global Alumni Networks and Alumni Relationships that Last a Lifetime

BY LAURA S. CHANEY, DIRECTOR OF ALUMNI RELATIONS

In thinking about Pierce Law alumni, I feel the need to quote anthropologist Margaret Mead: "Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." Pierce Law alumni do change the world. Those who return to campus to participate in continuing learning seminars, to support fundraising events and to assist career services to students are strengthening the foundations of a strong and ethical legal community. Others who provide counsel to corporations help sustain an international commercial climate based upon frameworks of sound and just law. From intellectual property issues to providing services for the indigent and disadvantaged, Pierce Law alumni are making an impact around the world. Thank you for your support.

Photo Gallery

This issue's photo gallery highlights alumni receptions in Chicago, IL, and Washington, DC; New Hampshire CLE Day; and our 3rd Annual Golf Tournament. Not pictured are alumni gatherings in San Francisco, CA, hosted by Professors Ellen Musinsky, Kimberly Kirkland and Marcus Hurn; Raleigh-Durham, NC, hosted by Professor Musinsky; and Boston, MA, hosted by Peter Braun '79.

Alumni Receptions in Your Area

Please contact the Office of Alumni Relations if you would like information about hosting an alumni gathering in your area. Email alumni@piercelaw.edu or call 603.513.5181.

Washington, D.C.

In May, alumni and students and faculty of Pierce Law's first annual International Criminal Law and Justice Seminar gathered on Capitol Hill at the Rayburn House Office Building to toast Pierce Law's newest program. We thank Congressman Timothy Ryan '00 for joining us at this event.

Chicago, IL

Alumni, friends, faculty and staff gathered to renew acquaintances and to network with alumni from around the globe during this year's INTA annual meeting.

Concord, NH, CLE Day

In June, alumni gathered at Pierce Law to present and to learn about law specific to New Hampshire at our 2nd annual NH Practice Series CLE Day. We extend special thanks to Trustee and alumnus Kenneth Brown '78 for leading this program as a benefit to alumni in Pierce Law's home state.

Third Annual Golf Tournament to benefit Loan Repayment Assistance Program (LRAP)

In June, alumni and friends hit the golf course to raise funds for Pierce Law's Loan Repayment Assistance Program. Tournament proceeds of nearly \$19,500 will provide valuable support to graduates working in public interest law.

Thank you to returning tournament co-chairs, Professors Ellen "Annika" Musinsky and Chuck "Tiger" Temple '85 for their enthusiasm and leadership, to this year's tournament committee: Jacalyn Colburn '96, Stephen Goldman '76, Peter Leberman and Peter Nieves '98 for creating this successful event and to all who participated and generously contributed to Pierce Law's LRAP program.

Class of 2007 Champagne Toast

Welcome to our newest alumni, the members of the class of 2007!

Reunion 2007

September 28–30

Celebrating the classes of 1977, 1982, 1987, 1992, 1997 and 2002
Watch for registration information in the mail or please visit www.piercelaw.edu.

Friday

3:00–6:00	Registration
6:00–7:00	Reception
7:30	Class Dinners

Saturday

8:30–3:00	Registration
8:30–9:30	Continental Breakfast
9:00–12:00	Book Store Open
9:30–10:30	Dean Hutson and Trustee Remarks
10:30–12:00	School Tours
11:00–12:00	"Meet John Marshall" performed by Professor Richard A. Hesse
12:00–1:30	Lunch Buffet
1:30–5:30	Class/Cultural Activities
6:00–7:00	Cash Bar Reception
7:00–11:00	Reunion Dinner, Music and Dancing

Sunday

8:00–9:30	Breakfast Buffet with Bloody Marys
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Reunion Class Volunteers: If you wish to help plan class activities and/or lead your class reunion effort, email alumni@piercelaw.edu or call the Alumni Office at 603.228.1541 x1181.

ALUMNI OFFICE NEWS

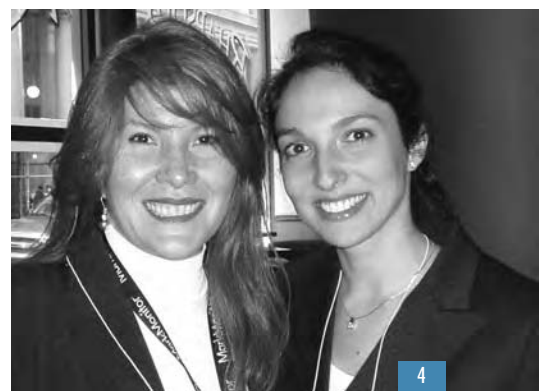


Washington, DC Reception

1. *United States Congressman Timothy J. Ryan '00 and Dean John D. Hutson*
2. *Jessica Roche '09, Patrick Morin '09 and John Crocetti '07*
3. *John Davie '08, Matthew Smilowitz '06 and Kevin Crosby '06*
4. *Shannon Gulley '09 and Bonnie Graves '04*
5. *Daniel Landau '09, Amy Christensen '09 and Megan Yaple '09*



ALUMNI OFFICE NEWS



Chicago, IL Reception

1. Graziella Benedetti LLM '05 and Gerardo Guillen LLM '08
2. Guest Alfredo Pineda, Marcial Ascencio-Herrera MIP '99 and Flavia Murad Schaal IPSI '99
3. Douglas J. Wood '76, Samuel Der-Yeghiayan '78 and Dean John D. Hutson
4. Jessica Evans LLM '05 and Ines M. ter Horst Gomez LLM '05
5. Shigeru Inaba MIP '05, Yea-Ling Lien MIP '95, Professor William O. Hennessey '86, Dan Yang MIP '98

Alumni Online Community

Register today at www.piercelaw.onlinecommunity.com. Join 1,350 current alumni members. Update your profile. Create a business card for networking. Fellow alums want to find you!

ALUMNI OFFICE NEWS

Class of 2007 Reception

1. Kelly Dollins, Barrie Neutze and Rachel Hawes
2. Kristen Miller and Cheryl Junker
3. Siming Yuan, Yi-Feng Chiu (Jason), Xinyan Wang, Ion Abraham
4. Charles Gideon Korrell, Brian McKnight, Kate Winstanley and Suni Suuduang
5. Erika Eubanks, Krista Kostiew and Shannon Keyes



ALUMNI OFFICE NEWS



New Hampshire CLE Day

1. CLE faculty included:
Catherine Daly '81, Dean John D. Hutson, Kenneth Brown '78, Ronna Wise '80, James Leary '84, Ellen Arnold '77, John MacIntosh '77, Professor Charles Temple '85, Henrietta Luneau '98 and Ronald Lospennato '78
2. Lynmarie Cusack '95 and Michael Wallenius '97



3rd Annual Golf Tournament

1. Dean John D. Hutson, Vice President for Finance and Administration
Eric Norman, and sponsors Alex Vachon of Sun Life Financial and Mark LeCompte, NEEBCO
2. Christopher Paul '09, team members Matt Temple and Sue Temple, Professor Charles Temple '85
3. Team member Newton Kershaw, Richard Uchida '84, Professor Mitchell Simon and team member Peter Beeson



Spam Blockers

To help prevent your employer from blocking emails from "Pierce Law Alumni Office," alumni@piercelaw.edu, add the piercelaw.edu domain to your email address books.

CLASS ACTIONS

1970s

Lynne Strober '77 was recently named one of New Jersey's top 50 women attorneys by *New Jersey Super Lawyers of 2007*. She co-chairs the Family Law Department at Mandelbaum Salsburg, West Orange, NJ, and is a specialist in all aspects of divorce litigation, including complex equitable distribution matters, alimony, child support, child custody, parenting time, prenuptial agreements and adoptions.



Lynne Strober '77

Nicholas Harding '78 of Reid and Riege's Environmental Practice Group, Hartford, CT, participated as a judge at the 19th annual National Environmental Law Moot Court competition held at Pace University School of Law in February.

Peter Braun '79 recently joined a health law boutique firm in Boston, MA, Ankner & Levy, P.C.

M. Stephanie Wickowski '79 was named one of twelve "Outstanding Restructuring Lawyers in the U.S." by

Turnarounds & Workouts Magazine. The third edition of her book, *Bankruptcy Crimes*, is due to be published by Beard Books this summer. The book is dedicated to mentor and professor, the late Robert M. Viles.

1980s

Catharyna Kerr '80 assumed the position of State Health Care Ombudsman in Vermont.

Michael Leahy '82 was elected voting partner at O'Malley, Miles, Nylan & Gilmore, Annapolis, MD.

William P. Tocchi '82 was appointed as president and chief marketing officer at Structured Financial Associates, Middletown, CT.

Arthur Brennan '83 has accepted a yearlong assignment with the U.S. State Department to serve as deputy director of the Iraq Reconstruction Management Office and director of the Office of Accountability and Transparency. He will live in the Green Zone and be stationed at the U.S. Embassy in Baghdad. Brennan will be replacing **Edward "Boots" Poliquin '99** as director of the Office of Accountability and Transparency. Poliquin served in this capacity for the past two years and is returning to Washington, DC. Brennan has served for 15 years as a superior court judge in New Hampshire.

Eudora Shaw '83 is working with the New Hampshire Courts as a mediator and with the Sunapee School District, Sunapee, NH, as a school psychologist.

Arlene Udick '85 recently opened a commercial law practice in The Villages, FL, to help family businesses in the central part of the state.

Steven Miano '85 is an adjunct professor at Rutgers Law School.

Stephanie (Patterson) Kinsley '86 is teaching language arts in the seventh and eighth grades in public school, New Haven, CT.

Richard P. Burgoon '87 has accepted the position of president and chief operating officer at Tulip BioMed, San Diego, CA, a developer of medical devices and patented technologies for the living tissue markets, including plastic, cosmetic and orthopedic surgeries.

Mark Deluca '88 recently joined Pepper Hamilton LLP, Berwyn, PA, as partner in the firm's Intellectual Property Practice Group.

John Gregory Jr. '88 was recently named editor-in-chief of *The Philadelphia Lawyer*, the quarterly publication of the Philadelphia Bar Association. He is general counsel to Streamlight, Inc.

Katherine McGuire '89 was appointed partner at Jaeckle Fleischmann & Mugel, LLP in the Intellectual Property and Emerging Companies Practice Groups. She serves as head of the firm's patent

group and concentrates her practice on the preparation of patent applications, negotiating and preparing agreements including intellectual property licenses, technical service, confidentiality and consulting agreements, and representing clients before the U.S. Patent and Trademark Office. The firm has offices in Buffalo, Amherst and Rochester, NY, and Phoenix, AZ.



Katherine McGuire '89

1990s

Michael B. Ray '90 was recently elected first non-founder managing partner to head up the intellectual property specialty firm at the Washington, D.C.-based Sterne, Kessler, Goldstein & Fox PLLC. Ray headed the Electronics Practice Group for the past two years and was a member of its executive committee.

Jeffrey Gerson '91 was recently promoted to partner at Kaufman, Borgeest & Ryan, LLP, Garden City, NY, specializing in medical practice, hospital and health law.

CLASS ACTIONS

Richard P. Creedon '92 has been named executive vice president of the Utica Mutual Insurance Company, Utica, NY.

William Hamzy '92 was re-elected to the Connecticut general assembly in November. He has served in the General Assembly as a state representative since 1995. He also serves as deputy minority leader as state representative of the 78th district.

Shaun Hutchinson '92 recently accepted a business development position with Deloitte & Touche's Boston, MA, office, selling forensic and dispute, bankruptcy/reorganization, and corporate finance and valuation services to law firms and in-house counsel.

Kirk Miles '93 was recently named to the management committee of the Webb Law Firm, Pittsburg, PA.



Kirk Miles '93

Caroline Rockafellow '93 joined the Intellectual Property Practice Group at Hutchison Law Group PLLC, Raleigh, NC.

Joseph J. Summerill IV '93 joined Greenberg Traurig, Washington, DC, as a partner in the firm's government contracts practice, representing corporations, state and local governments, trade associations and individuals.

Robert (Jonesy) Worrall '93 recently joined Honeywell's legal department in Minneapolis, MN, in support of the company's aerospace division.

Amy Gutow '94 and husband, Tom, are owners of the Castine Inn, Castine, ME. They also own and operate the Maine Island Sausage, a small company that makes and distributes organic, free-range, chicken sausage in the mid-coast and Down East areas of Maine. Amy also serves as the director of conferences at the Maine Maritime Academy.

Kevin J. Carroll '95 was named a partner at the Manchester, NH, law firm of Grossman, Tucker, Perreault & Pfleger.

Wei-Huang Liu MIP '95 owns an intellectual property service company in Taiwan, providing overseas patent applications and helping clients with infringement litigation in foreign countries.

Jeffrey D. Hale '96 is in-house counsel for Thomson, LLP, in Princeton, NJ.

Thomas Corrado '97 recently joined Hunton & Williams' intellectual property practice, as counsel in its McLean, VA, office.

Jeffrey Greger '97 of Fairfax, VA, recently served as an adjunct professor at Pierce Law, focusing on practical real cases and application of the Trademark Trial and Appeal Board procedures and practical history.

Peter Munson '97 was recently named partner at Wilson Sonsini Goodrich & Rosati Professional Corporation, San Diego, CA, in the firm's intellectual property practice.

Stephanos Orestis '97 was appointed Ethics and Compliance Specialist for Aibel AS, Oslo, Norway. He is responsible for ensuring the company's compliance with the Foreign Corrupt Practices Act, the OECD Convention against Bribery of Foreign Officials and foreign and domestic anti-corruption laws.



Joseph DiDonato '98

Joseph DiDonato '98 has joined Flaster Greenberg P.C. as an associate and member of the Intellectual Property Practice Group in its Philadelphia office. He will focus on evaluation, business and IP issues in university and non-profit technology transfer offices, small companies and start-ups. He recent-

ly participated in a seminar, "Protecting Your Intellectual Property—Patents, Trademarks and Thieves," at Delaware Biotechnology Institute, Cherry Hill, NJ.

Morgan Heller II '98 was elected as a director of the Downs Rachlin Martin, PLLC, Burlington, VT. A member of the Intellectual Property Practice Group, he will also share in the management of the firm.

Peter Nieves '98 was named to the *New Hampshire Union Leader's* "40 Under Forty List."

Ohioresnya R. Bagudu MIP '99 recently published a book entitled *Judging Annan: Author Provides Compelling Assessment of Secretary-General's Performance*. The book provides an overview of Annan's United Nations reform agenda and reviews the Secretary-General's creative approach to various international crises.

James G. Cullem '99 of Topsfield, MA, has started a consulting business, Aurora Nova, LLC., focusing on providing intellectual property strategy and asset management guidance to start-up and smaller growth phase enterprises in the biotech/life sciences sector.

Yuji Toda '99 has transferred to the Intellectual Property Department of Hitachi, Ltd. and will assume duties as general manager of Intellectual Property Business Development Division and Intellectual Property Law and Trademark Center in charge of intellectual property licensing.

2000s

James Merrill '01 is taking a leave of absence from Devine, Millimet & Branch, P.A., Manchester, NH, to serve as the New Hampshire state director for the presidential exploratory committee of Governor Mitt Romney.

David Tennant '01 recently made partner at McDermott Will & Emery, Washington, DC, office, advising clients on patent development and strategy.

Joel Shaw '02 recently relocated his business law practice to Bernstein Shur's Portland, ME, office, focusing on mergers and acquisitions, securities and general corporate matters.

Nancy Delain '03, Clifton Park, NY, was selected to be an appellate oral argument judge in the Brooklyn regional competition of the National Appellate Advocacy Competition sponsored by the American Bar Association.

Andrew M. Mierins '03 has joined Clark & Sekella, Manchester, NH.

Julee Flood '03 is currently doing contract-based legal research and writing for several organizations. In September, she will begin as a career clerk for Justice Wade of the Tennessee Supreme Court, Knoxville, TN.

Thomas Holsten '03 recently joined Hutchison Law Group PLLC, Raleigh, NC, in the firm's Intellectual Property Practice Group.

Vicenç Feliú JD/MIP '04 published an article entitled "Meeting the Information Needs of Constitutionalist Patrons: A Guide for Reference Librarians" in 25 *Legal Reference Services Quarterly* 89 (2006). He is the foreign, comparative and international law librarian at Louisiana State University.

Ambre J. Brandis '05 recently joined the New York law firm Weitz & Luxenberg, PC, as a litigation associate, focusing on environmental and toxic tort plaintiff litigation.

Jose R. Cardeno Shaadi '05 recently finished his PhD in intellectual property and corporate law in Spain.

Mark Stephenson '05 is an associate in the intellectual property and technology practice group at Kreig DeVault, Indianapolis, IN.

Leslie Thomas-Riggs '05 is currently employed as in-house counsel for the Eastern Caribbean business units of the main telecommunications company in the Caribbean and **Larry Riggs II '06** is a patent examiner in the biotechnology center with the United States Patent and Trademark Office in Virginia.

Jenny Workman '05 Gaithersburg, MD, recently published a book entitled *A Reflection on Life in Law School*.

Sean Blixseth '06 recently joined Foster Walsh LLP, San Diego, CA, to help with business formations, licensing and litigation.

Jeremy Harmon '06 joined the law firm of McKenney & Bauscha PC, Amherst, NH, as an associate. His practice will focus on commercial litigation and general civil law.

Weber Hsiao '06 joined Hamilton Brook Smith Reynolds, Concord, MA, as an associate. He assists in patent preparation and prosecution in the areas of electronics, computer technologies, mechanical arts and medical devices.

Kumiko Ide '06 recently joined Westerman, Hattori, Daniels & Adrian LLP, Washington, DC, as an associate doing patent work.

Brett Krueger '06 recently joined Fish & Richardson P.C., Boston, MA, as an associate in the firm's Patent Prosecution Group where he will focus his practice in the areas of mechanical engineering and computer software.

Mitesh Mehta '06 joined Plevy, Howard & Darcy, an intellectual property law firm in Fort Washington, PA.

Blaine Page '06 is an associate at Cantor Colburn, LLP offices in Atlanta, GA.

Samuel Redlich '06 is working for the law offices of Richard D. Franzblau, Raritan, NJ. The firm specializes in hospitality and franchise law. He will represent the firm at the Restaurant Finance and Development Conference in Las Vegas, NV, in November 2007.

BIRTHS AND ADOPTIONS

Jeffrey Gerson '91 and wife, Eileen, a son, Zachary, July 6, 2006.

James V. Ferro '94 and **Stephanie S. Ferro '94**, a son, Mario James, born July 31, 2004, and adopted by the Ferros, March 28, 2007, from Guatemala.

Jeffrey Huter '97 and wife, Trudy, a son, Noah Thomas, February 18, 2007.

Mark Born '99 and Tricia **McNeill Born '99**, a daughter, Adeline O'Hara, November 10, 2006.

Byron McMasters '02 and wife, Catt, a daughter, Sedona Elizabeth, September 12, 2006.

Jonas Cutler '03 and wife, Amy, a daughter, Adelei Grey, July 17, 2006.

Zakir Thomas '04 and wife, Meethu, a son, Vincent Zacharias, January 26, 2007.

Paul J. Homer '05 and wife, Mindy, a daughter, Kathryn Ann, March 28, 2007.

Leslie Thomas-Riggs '05 and **Larry Riggs II '06**, a son, Joshua Lionel, February 17, 2007.

Ammar Akel '06 and wife, Nora, a daughter, Judy, March 8, 2007.

MARRIAGES

Dwi Daruherdani '01 of Indonesia, on December 5, 2006.

IN MEMORIAM

Gail Williamson '88
Leslie C. Smith II '89
Kurt Zachhuber '95

Ways to Give

Gifts to Pierce Law can take the form of general support or be designated to a specific program. General support gives Pierce Law the greatest flexibility to meet its most pressing needs and promising opportunities. If you wish to designate your gift, please indicate this when making your donation.



Cash – Donating cash is the simplest and most direct way you can give to Pierce Law. Gifts can be made either by check and mailed, or with a credit card either by calling the Development Office or online through our secure website at www.piercelaw.edu. Pierce Law also accepts wire transfers; please call for details.

IRAs – For 2007, individuals aged 70½ or older can make gifts to charitable organizations like Pierce Law using funds transferred directly from their IRAs. This transfer counts toward your minimum required distribution, you do not have to pay tax on the amount transferred and the transfer does not generate taxable income or a tax deduction. Any amount up to \$100,000 can be transferred on or before December 31, 2007.

Appreciated securities or stock – Making a stock gift is an easy and tax-wise way to invest in Pierce Law. A gift of appreciated securities may save taxes twice. You may receive an income tax deduction for the full market value of the donated shares if you've held the securities for more than one year and you may avoid capital gains tax on the appreciation. It is important when making a gift of stock to alert the Development Office in advance, so that your gift will be properly credited when received.

Bequests – You may provide for Pierce Law through your will with either a specific amount or a percentage of your estate by using either of these sets of language: "I bequeath the sum of \$10,000 to Pierce Law located in Concord, NH" or "I devise and bequeath 20% of the remainder and residue of property owned at my death, whether real or personal and wherever located, to Pierce Law, located in Concord, NH."

Matching gift programs – You can easily double or even triple your donation to Pierce Law if your company has a matching gift program. Simply obtain a matching gift form (or other instructions) from your employer's personnel office, fill it out and send it to Pierce Law with your gift.

Planned gifts – Through planned (deferred) giving, it is possible to make gifts to Pierce Law that you might have previously thought impossible. A planned gift can maximize your charitable contribution, allow advantageous tax deductions and turn appreciated assets into income for yourself and/or other family members.

This type of gift requires advanced planning, usually tax related. The term includes several types of gifts, one of which is the donation of an asset in exchange for income, usually provided after the asset is put into a charitable trust. At some point, not necessarily immediately, Pierce Law receives the asset. In other words, the donor parts with the asset today to receive the income and tax benefits, while the actual gift of the asset to Pierce Law is deferred for a period of time.

If you have any questions or would like to discuss your options for giving, please call Gayle Mazalewski, Director of Development, 603.513.5189, or email gmazalewski@piercelaw.edu.



International Criminal Law and Justice

THE PROGRAM

Pierce Law announces a new graduate degree program designed to prepare the next generation of leaders—lawyers, peacekeepers, policy-makers—who will be confronting the global issues of criminal law and justice.

Pierce Law launched its new International Criminal Law and Justice program this summer during a one-week seminar at the Institute of World Politics in Washington, DC, that explored legal responses to terrorism, war crimes, national security, counterfeiting and intellectual property crimes, genocide and human trafficking.

FACULTY INCLUDE:

John D. Hutson, Dean and President

A former Judge Advocate General of the U.S. Navy, Dean Hutson champions the rule of law and lectures frequently on the Geneva Conventions. He teaches National Security Law and recently testified before the U.S. Congressional Armed Services Committees regarding military commissions and tribunals. He serves on the Board of Directors of Human Rights First and received the 2005 Bill of Rights Award from the New Hampshire Civil Liberties Union.

Keith Harrison, Professor of Law and Chair, International Criminal Law and Justice Program

A former member of the U.S. Coast Guard Judge Advocate General's Office, Professor Harrison teaches and conducts research in the areas of Criminal Law, Criminal Procedure, Immigration Law, and Military Criminal Law. He is a past member of the Legal Support Network for Amnesty International USA and, currently, is authoring a book examining practice under the Uniform Code of Military Justice.

Christopher M. Johnson, Professor of Law and Chief Appellate Defender, State of New Hampshire

A former staff attorney and death penalty expert with the Southern Center for Human Rights in Atlanta, GA, Professor Johnson supervises students in Pierce Law's distinctive Appellate Defender Clinic and teaches International Criminal Law as well as International Legal Responses to Terrorism.



Calendar of Events

China Intellectual Property Summer Institute
Tsinghua University School of Law, Beijing, China

through July 27

eLaw Summer Institute
University of College Cork Faculty of Law
Cork, Ireland

July 9–August 3

Alumni Dinner, Tokyo, Japan

August 4

Reunion 2007

September 28–29

Advanced Licensing Institute

January 7, 2008

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